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THE REHABILITATION OF THERAMENES

IT is safe to say that no Athenian statesman and patriot, not excepting even Themistocles, has been so persistently misjudged by modern writers of Greek history, and especially by makers of school manuals of Greek history, as Theramenes. And yet the testimonies of his contemporaries are either negatively favorable, as in the case of Thucydides, or harmlessly and jocosely unfavorable, as in the case of Aristophanes, or wavering—now favorable and now unfavorable, as in the case of Xenophon, and only consistently and bitterly hostile in the case of Lysias; while the secondary testimonies of Ephorus (as seen in Diodorus) and Aristotle are frankly and wholly eulogistic, and, among Roman men of letters, Cicero ranks him with Themistocles and Pericles, and Julius Cæsar with Cicero and Pericles. But the malignant and perverted estimate of him by Lysias prevails in later scholia, and either prevails or has undue influence in all the current histories of Greece since Mitford, large and small, excepting only those of Beloch and Bury. These scholars adopt in the main the eloquent and discriminating tribute to Theramenes which came to light with Aristotle's *Constitution of Athens* in 1890.¹ Indeed, Aristotle may well be called the ancient vindicator of Theramenes, and our judgment of those modern writers who misjudged Theramenes before the vindication of him by Aristotle saw the light again must be much more lenient than of

¹ Even before the reappearance of Aristotle's *Constitution of Athens*, the rare dissent from the unfavorable estimate of Theramenes prevailing among modern writers had culminated in a full and able vindication of him by Pöhlig, in Fleckeisen's *Jahrbücher für classische Philologie*, Supplementband IX. (1877-1878), 227-320, the main positions of which were cordially adopted by Beloch in his *Attische Politik seit Perikles* (1884). Pöhlig's monograph, together with the bibliographical note in Busolt, *Griechische Geschichte*, Band III., Teil II., 1463, shows the course of modern opinion during the last century.

those who, like Abbott, Eduard Meyer, and Busolt, still strive, more or less, against this new evidence.¹

There are four great events in which Theramenes was more or less prominent as a leader, and by his conduct in them he is to be judged. These are, first, the revolution of the Four Hundred (411 B. C.); second, the restoration of Athenian supremacy in the Ægean sea (410-407); third, the battle of the Arginusæ (406); and fourth, the establishment of the Thirty in Athens (404-403). It is the purpose of this paper to weigh anew the ancient testimonies to the part of Theramenes in these four events.

I. *The Revolution of the Four Hundred.*² In the terror inspired by the Sicilian disaster all parties at Athens united in recognizing certain imperative needs. These were, as Thucydides clearly states,³ a new fleet, retention of the allies (especially Eubœa), economy in domestic expenditures, and a small body of selected elders to initiate legislation. "While their fright lasted", says Thucydides,⁴ "they were ready to correct every abuse, after the manner of a democracy". A limited democracy, then, with financial reforms, was the happy mean on which all parties at Athens united in this great crisis, while there was still a faint hope that all might not be lost. To this political programme, through all the troublous years that followed, Theramenes was persistently true to the end of his life, and he gave his life in defense of it. In the darkest moments of the struggle the extreme oligarchs, who wanted oligarchy even at the price of submission to Sparta, would get the upper hand; in the all too fleeting times of triumph the extreme democrats, who wanted every Athenian citizen without exception to be paid something from the uncertain revenues of the state, would get the upper hand. In the darkest and the brightest times alike Theramenes is found insisting on the two cardinal principles of the frightened democracy—a limited democracy and financial reforms, *i. e.*, a suf-

¹ All three writers interpret too much hostility to Theramenes into the testimony of Thucydides, and give too little weight to the emphatic praise bestowed upon him by Aristotle. The spirit of the testimony of Thucydides is far more closely akin to that of Aristotle than to that of Lysias. And the hostile insinuations which the partizan Xenophon puts into his narrative of the conduct of Theramenes are more than counterbalanced by the eloquent defense of that conduct which the man Xenophon puts into the mouth of Theramenes. In the conflict of ancient testimonies, then, it is not Thucydides, Lysias, and Xenophon against Ephorus and Aristotle, but Lysias against all the rest.

² The ancient authorities are Thucydides, viii. 47-98, especially 68, 89, 92, 97; Lysias, *contra Eratosthenem*, 64-67; Diodorus (Ephorus), xiii. 36-38; and Aristotle, *Athenaion Politeia*, 28-33. Justin, v. 3 may be disregarded, except for a phrase or two echoing Ephorus: "Itaque permittente populo imperium ad senatum transfertur"; "optimates territi primo urbem prodere Lacedæmoniiis temptavere."

³ viii. 1, § 3.

⁴ *Ibid.*, § 4, Jowett's translation, as, in the main, in the following citations.

frage restricted to those able to serve the state with arms and money, and no payment of public funds except for military service.

By 411 B. C. the outlook for Athenian empire in the Ægean sea was desperate. Syracuse, Sparta, and Persia were in league together, and commanded generous moneys; while the Spartan occupation of Decelea, the revolt of powerful allies (including the Ionian cities of the mainland), and the limitless expenditure of uncertain state revenues for the public services of the beleaguered Athenian citizens made it more and more difficult to maintain an Athenian fleet in the Ægean strong enough to hold in subjection the discontented allies, to say nothing of bringing back to their allegiance and payment of tribute the allies who had revolted. The question then became one of a more or less humiliating peace with Sparta, or a more or less humiliating continuance of the war with her by means of Persian subsidies. In either case a modification of the extreme democratic or, rather, socialistic form of government was imperative, and those who strove for such a modification no more deserve the name of "conspirators", comprising as they did the intellectual and social leaders of the day, than do those who in recent years of our own times have joined in citizens' crusades against parties intrenched in city government. The democracy of Pericles, which had never since his death been subject to proper guidance and control, had had its day and failed. It even acquiesced, so far as the citizen body remaining at home was concerned, in such a modification of the democratic polity as would secure—so its advocates honestly believed—the financial aid of Persia and the leadership of the one man whom most Athenians now regarded as preëminently capable of leadership—Alcibiades. With this movement went the ten *Probouloi* whom the democracy itself had elected after the Sicilian disaster. Among these was Hagnon, the father of Theramenes.¹

But when the reactionary movement had been pushed too far by the extreme oligarchs under the uncompromising lead of the masterful Antiphon; when the army at Samos had shaken itself free from its oligarchic leaders and pronounced in favor of a modified democracy instead of the extreme oligarchy of the Four Hundred; and when, above all, the shifty Alcibiades had won and assumed the leadership of this indignant military democracy at Samos, then Theramenes headed a movement which should unite the moderate oligarchs at Athens with the moderate military democrats at Samos, and under the lead of Alcibiades. He did not abandon the cause in which he had embarked at first; he carried it rather to a triumph-

¹ Aristotle, *Athenaion Politeia*, 29, § 2; Lysias, *contra Eratosthenem*, 65.

ant issue, as the demands which Alcibiades sent to the Four Hundred at Athens plainly show. "He had nothing to say", so Thucydides reports his message,¹ "against the rule of the Five Thousand, but the Four Hundred must abdicate, and the old Council of Five Hundred be restored. If they had reduced expenditures at home so that the citizens on military service could be better supported, he highly approved. For the rest he entreated them to stand firm, and not give way to the enemy; if the city was preserved, there was good hope that they might be reconciled amongst themselves, but if once anything happened either to the army at Samos or to their fellow-citizens at home, there would be no one left to be reconciled with."

But when the Athenian people had reluctantly acquiesced in a moderate oligarchical or limited democratic form of government, it was to secure the leadership of Alcibiades, as Thucydides makes plain²; and the programme of the oligarchical leaders which finally found favor in the eyes of the people had these two main clauses: (1) that no one who was not on military service ought to receive pay from the state; and (2) that not more than five thousand should have a share in the government—those, namely, who were best able to serve the state in person and with their money.³ And now the military democracy under the leadership of Alcibiades at Samos formally proffered to the Four Hundred at Athens the very programme with which the Four Hundred had themselves won over the people of Athens, but which they had later abandoned under the influence of the extremists among their number. Is it any wonder that the majority of them, as Thucydides says,⁴ were much encouraged, and began to strive together for the attainment of the original purposes of their political agitation? They had been swept far aside from their original purposes by the partizanship of Antiphon; they now gladly returned to them under the lead of such prominent and influential members of their body

as Theramenes the son of Hagnon, Aristocrates the son of Scellius, and others, who had been foremost in the [original] movement, but now, fearing, as they said, the army in Samos and Alcibiades, fearing also lest their colleagues on embassies to Lacedæmon should, unauthorized by the majority, betray the city, they did not indeed formally renounce extreme oligarchy, but insisted that the Five Thousand ought to be established in fact and not in name merely, and that the constitution should be made more equal. This was the political pretext of which they availed themselves, but the majority of them were afflicted with that sort of personal

¹ viii. 86, §§ 6, 7.

² *Ibid.*, 53 *fin.*; 54, § 1.

³ *Ibid.*, 65 *fin.* and 66, § 1.

⁴ *Ibid.*, 89, § 1.

ambition which is most apt to prove fatal to an oligarchy succeeding a democracy. As soon as an oligarchy is established, all its promoters demand, not equality, but each that he himself be far above his fellows. Whereas in a democracy, when an election is made, a man is less disappointed at a failure because he has not been competing with his equals. The motives which most sensibly affected them were the great power of Alcibiades at Samos, and a belief that the oligarchy was not going to be permanent. Accordingly every one was striving to be the first champion of the people himself.¹

These are all the words of Thucydides that can in any way be held to contain an unfavorable estimate of the motives of Theramenes; there are none to deprecate his acts.² And even here the motives of personal ambition are attributed, not to Theramenes by name, but to "the majority" of his group of the oligarchs, and to oligarchs in general. It may well be that if Thucydides had lived to write of the later martyrdom of Theramenes in a vain attempt to secure for a second time precisely that form of government for which he was now contending, he would have acquitted him of the lower personal ambition with which he here charges "the majority" of his political group. He does at any rate say of the constitution which Theramenes more than all others helped to establish once: "This government during its early days was the best which the Athenians ever enjoyed within my memory. Oligarchy and democracy were duly attuned. And thus after the miserable state into which she had fallen, the city was again able to raise her head."³

In any case, to be the first "champion of the people (*προσάτης τοῦ δήμου*)" in a constitutional struggle which secured the best government that people had ever had was a personal ambition for which Theramenes deserves no blame. And that his motives were not wholly selfish is clear from his undeviating loyalty to Alcibiades, a point to be emphasized all through his career. As for the title of

¹ *Ibid.*, viii. 89.

² At his first introduction of Theramenes (viii. 68, § 4) as one of the foremost leaders in the revolution, Thucydides briefly characterizes him as a man of great eloquence and ability, one among many sagacious men who accomplished a great task. This is brief praise, it is true, but not so brief as to be dispraise. In very similar language Aristotle, *Ath. Pol.*, 32, § 2, speaks of Pisander, Antiphon, and Theramenes together as "men of good birth, and of high reputation for sagacity and ability".

Whether Thucydides wrote his testimonies to the character and career of Theramenes before or after the death of Theramenes is an open question. It is certainly possible, for aught now known, that he wrote them before that death which forced Xenophon out of partizan antagonism into undisguised admiration and defense. If so, and had he lived to write of the last days of Theramenes, Thucydides might have shown for him a warm admiration, like that felt for Antiphon in viii. 68.

It cannot be granted that Thucydides, in viii. 92, "puts the conduct of Theramenes in a very suspicious light" (Abbott, *History of Greece*, III. 416). Theramenes is there represented as proceeding cautiously and hesitatingly — as one walking over a smoldering volcano, but not treacherously.

³ viii. 97, § 2.

"champion of the people", which seems to have a scornful implication in the phrase of Thucydides, Aristotle bestows it on Solon, Themistocles, Aristides, and Pericles, as well as on Cleon and Cleophon.

It is unjust, then, to load the memory of Theramenes with any condemnation of his motives or acts by Thucydides. The testimony of Thucydides, as it stands in its uncompleted form, is at least negatively favorable; the scholiast on Aristophanes felt it to be positively so.¹ Had Thucydides lived to complete his testimony, there is reason for thinking that it would have been positively and emphatically favorable, if not eulogistic; for the eulogistic testimony of Aristotle is accompanied by precisely the same estimate of the constitution of Theramenes which Thucydides gives:

The Four Hundred were accordingly deposed and the conduct of affairs entrusted to the Five Thousand of the hoplite class; it was voted also that no public office be salaried. The chief promoters of this change were Aristocrates and Theramenes, who did not approve of the conduct of the Four Hundred, since they usurped all authority and submitted nothing to the Five Thousand. But now, for a while, Athens seems to have been admirably governed; the war was regularly prosecuted, and the government was in the hands of the hoplite class.²

Theramenes had now been a leader in overthrowing extreme democracy, when Thucydides characterizes him as a man of great eloquence, ability, and sagacity; and also a leader in overthrowing extreme oligarchy, when Thucydides testifies that his political object was exactly the same as before, and that the attainment of that object gave Athens the best government she had ever had. To be a moderate oligarch and then a moderate democrat meant, in his case, no change of political principles at all. The change was in others. The extreme oligarchs had abandoned him, and the extreme democrats had come over to him on his unchanging platform of limited property qualification, in the old Solonian fashion, for participation in the government. And yet there was just enough apparent shift of position by him to make some comic poet's epithet of "cothurnus"³ a telling and popular hit. Xenophon puts into the mouth of Theramenes⁴ a capital rejoinder to the thrust made by Critias with this epithet, and it doubtless amused Theramenes himself and his best friends. The modern defender of Theramenes also may enjoy it as a fine political joke. He has only to remember what it was, according to Thucydides,⁵ that brought the people over to

¹ *Scholia Arist. Frogs*, 541: ὁ Θουκυδίδης δὲ αὐτὸν ἐπαίνει.

² *Ath. Pol.*, 33.

³ Xenophon, *Hellenica*, ii. 3, § 31.

⁴ *Ibid.*, ii. 3, § 47.

⁵ viii. 90-97.

the platform of Theramenes, and so ranged him with the moderate democrats. It was nothing more nor less than a deliberate attempt on the part of the extreme oligarchs, who could not brook the restoration of Alcibiades, to betray Athens with its harbor into the hands of Sparta. "The charge was not a mere calumny", says Thucydides,¹ in telling how Theramenes ever insisted that treachery was on foot, "but something of the sort was actually being done by the accused . . . at any rate they would not see democracy restored, and themselves fall the first victims, but would rather bring in the enemy and come to terms with him, not caring if thereby the city lost walls and ships and everything else, provided that they could save their own lives".

It was for this attempted treachery, and not merely for his oligarchical convictions, that Antiphon, the haughty and irreconcilable aristocrat, to whose ability Thucydides pays so striking a tribute,² was legally tried and put to death. This was on the motion of the former oligarch Andron, as the document cited in the *Life of Antiphon* ascribed to Plutarch shows.³ That Theramenes furthered or even favored the condemnation to death of his old leader cannot be believed on the insinuation of Lysias alone,⁴ and in the absence of further evidence. Xenophon puts no such specific charge in the mouth of Critias⁵ when he had every rhetorical temptation to do so. It was the misfortune, not the fault, of Theramenes that former colleagues of his in the oligarchy of the Four Hundred fell victims to their own high treason. He may have acquiesced in their death, but he can no more be charged with it than Washington can be held responsible for the fate of Benedict Arnold. It will be more difficult, though not impossible, to defend him from the charge of causing the death of the six generals in command at the Arginusæ; but in the case of Antiphon, on any rational interpretation of the evidence before us, his hands are clean.

It is with the reputation of Theramenes for tergiversation and treachery toward his commanders at the Arginusæ that the gibes in the *Frogs*⁶ of Aristophanes have more especially to do. Of the part taken by him in the deposition of the Four Hundred, Ephorus (as represented by Diodorus) speaks only in the most eulogistic terms,⁷ calling him a man of exemplary life and surpassing wisdom. The

¹ viii. 91, § 3.

² viii. 68, §§ 1, 2.

³ *Lives of the Ten Orators*.

⁴ *Contra Eratosthenem*, 67.

⁵ *Hellenica*, ii. 3, § 31.

⁶ vv. 541, 967-970, discussed below in III.

⁷ xiii. 38.

phrases bearing on the issue which have survived in the compilation of Justin¹ emphasize only the acquiescence of the democracy in the establishment of the oligarchy at the outset, and the attempt of the extreme oligarchs to betray the city into the power of Sparta.

II. *The Restoration of Athenian Supremacy in the Ægean Sea.*²

The evidence which bears on the career of Theramenes during these years is indirect, and therefore all the more trustworthy. It shows him—not to go into unnecessary detail³—cordially uniting with the people in assigning the leading command to Alcibiades and giving him permission to return to the city when he chose, although he must have felt toward this brilliant, erratic, and unprincipled man very much as Aristophanes makes Æschylus feel in the *Frogs*⁴: “Better not to rear a lion in the city; but when once you’ve reared him, consult his moods”. It shows him also coöperating loyally with Thrasybulus, that other champion of a restricted democracy, in various subordinate services on sea and land under Alcibiades as commander-in-chief, the three working together in perfect harmony, and winning together in 410 B. C. that glorious victory at Cyzicus which annihilated the Spartan fleet and brought once more from their despairing enemy advantageous offers of peace.

But it brought also, as great victories had repeatedly done before, a foolish over-confidence at Athens, and a triumphant restoration of the old socialistic democracy under Cleophon. This demagogue outdoes his prototype, Cleon, in rejecting an advantageous peace so honorably won, and in not only restoring payment from the state revenues for political services in the city, but in introducing a daily distribution of public moneys to all citizens not salaried already—the much-discussed but now clearly understood institution of the “diobelia”.⁵ Still further to aid the starving laboring classes cooped up in the city by the war, the construction of a new temple of Athena on the Acropolis, the Erechtheum, was resumed at state expense.⁶ Thus the socialists in the city, who insisted on a continuance of the war, were consuming the revenues which the war made smaller and smaller.

Much more efficacious in averting hunger from the pent up

¹ v. 3.

² The ancient authorities for the events of the years 411–407 B. C. are Thucydides, viii. 98–109, breaking off abruptly with the closing days of 411; Xenophon, *Hellenica*, i. 1–6 *passim*; Diodorus (Ephorus), xiii. 38–74 *passim*; Justin, v. 4, 5; and Nepos, *Alcibiades*, v.–ix.

³ The scattered *indicia* are fully exploited in the monograph of Pöhlig, 254–265.

⁴ vv. 1431 ff.

⁵ *Corpus Inscriptionum Atticarum*, I. 188, 189 a; Dittenberger, *Sylloge*,² 51; with the interpretations of Wilamowitz, Meyer, and Bury.

⁶ Bury, *History of Greece*, 498, ed. *min.*; Meyer, *Geschichte des Alterthums*, iv. 613 ff.

population of Athens was the restoration of Athenian control over the Euxine in the capture of Chalcedon and Byzantium by the invincible three—Alcibiades, Thrasybulus, and Theramenes, after a long and arduous campaign.¹ And it should not pass unnoticed that during the years 410–409, after all the political principles for which he had so patiently and successfully struggled had been abandoned, and after the peace which he favored had been rejected, Theramenes remained in loyal and successful service with Thrasybulus under Alcibiades. During the years 408 and 407—years which saw the triumphant return of Alcibiades to Athens, his defeat by Lysander, and his consequent rejection by the Athenian people, with what seemed an inevitable loss again of Athenian naval supremacy in the Ægean—we have no testimony whatever to the special activity of Theramenes, and are left to conjecture his feelings when to the abandonment of what he believed to be the only saving political principles was added the fitful deposition of the only leader who could reasonably be expected to cope successfully with Lysander and his colleague Cyrus. And yet that he did not sulk in his tent is clear from the fact that with Thrasybulus, the sharer in his political principles and in his faith in Alcibiades, he served as trierarch of his own ship in the battle of the Arginusæ, under generals who, with one exception, belonged to the radical wing of the new democracy.

III. *The Battle of the Arginusæ (406 B. C.).*² Thrasybulus and Theramenes, the partners and able supporters of Alcibiades in winning back for Athens the control of the Ægean and Euxine seas, served as simple trierarchs in the great battle off the Arginusæ islands. The Athenian fleet, with Conon pent up at Mitylene, where Archestratus had died, was under the command of eight generals, of whom only Thrasyllus had any preëminence as a naval commander. In numbers it surpassed the Spartan fleet under its single and brave commander, Callicratidas; but in sailing and manœuvring qualities it was inferior. The battle was long and hotly contested, at first by squadrons, then by scattered and single ships.³ In view of the large number of ships engaged on both sides (at least 200 in all), and the desultory character of the last part of the long struggle, when the end finally came with the death of Callicratidas and the rout of the Spartan left wing, great spaces of water must have been covered by the disabled, flying, or pursu-

¹ Diodorus, xiii. 66.

² The ancient authorities here are Xenophon, *Hellenica*, i. 6–7; Diodorus (Ephorus), xiii. 97–103, § 2; Aristophanes, *Frogs*, vv. 541, 967–970, with the scholia; Aristotle, *Ath. Pol.*, 34, § 1; and Lysias, *contra Eratos.*, 36.

³ Xenophon, i. 6, § 33.

ing vessels. The Lacedæmonian ships fled southward with favoring wind,¹ while those of the Athenian vessels that could do so—and many must have been seriously crippled besides the twenty-five actually lost—put back, against the wind which favored the Lacedæmonian fugitives, to their former station off the Arginusæ islands, as Xenophon expressly says.² Considering the extempore nature of a large part of the Athenian outfits, the long and desperate character of the battle in which they had been engaged, and the manifest absence of any one vigorously directing mind, even this return to their original position must have consumed considerable time. Arrived there, according to Xenophon—and his is the best account we have, they would seem to have held a muster and ascertained their losses.³ More time was, of course, consumed in this way. Then a council of war was held.⁴

Diomedon moved that all the ships put out in column for the rescue of the disabled vessels and their crews; Erasinides moved that all proceed with the utmost speed against the hostile fleet blockading Conon at Mitylene; Thrasyllus urged that both objects might be accomplished if they left part of their fleet there and sent the other part against the enemy at Mitylene. This last proposal was adopted, and then, since the work of rescuing the disabled vessels and crews was evidently unwelcome drudgery in comparison with the more exciting and glory-promising relief of Conon, the make-up of the squadron of rescue was elaborately determined as follows: from each of the eight generals' divisions, three ships; then the ten ships of the taxiarchs which had fought in the center of the line⁵; then the ten ships of the Samians and the three of the nauarchs which had also fought in the center, making forty-seven in all, or about four, as Xenophon is careful to have Euryptolemus point out,⁶ for each of the twelve disabled ships still afloat in the offing, whether the number was accurately known at the time or not. But not one of the eight generals assumed the command of, or took any share personally in this attempt at rescue. The trierarchs Thrasybulus and Theramenes, together with certain taxiarchs, were deputed to conduct the rescuing fleet,⁷ to which each general had contributed, as though to leave no rival any greater chance for glory at Mitylene than himself, exactly three ships. The rest of the fleet under the eight generals was to set out for Mitylene and the inferior enemy there.⁸

It is easy to see that (1) in the return after the battle, against

¹ *Ibid.*, i. 6, § 37.

² *Ibid.*, i. 6, § 34.

³ *Ibid.*, i. 6, § 29.

⁴ *Ibid.*, i. 7, § 31.

⁵ *Ibid.*, i. 6, § 33, and 7, § 29.

⁶ *Ibid.*, i. 6, § 35, and 7, § 29.

⁷ *Ibid.*, i. 7, § 30.

⁸ *Ibid.*

the wind, to the station at the Arginusæ, and (2) in the muster and council of war, and (3) in the assembling of so complicated a constituency as the fleet of rescue, much precious time was lost. During this time a messenger boat had carried tidings of the battle to the Spartan commander at Mitylene, Eteonicus; he had planned and executed the shrewd trick by which the tidings of Spartan defeat was converted, for his own forces and for Conon, into false tidings of Athenian defeat; he had then loaded his transports and sent them safely off under convoy of his triremes toward Chios, the rising wind favoring their swift passage past the spot where the Athenian generals were still deliberating.¹ The wind continued to increase in force, and at last, when the Athenians actually started to carry out the glorious and the inglorious project upon which it had taken them so long to agree, it was too stormy for either. They accordingly erected the customary trophy for their victory and bivouacked that night on shore.² The disabled vessels (at least twelve in number, as the defense of Eurypolemus admits), with the wounded or exhausted men still alive upon them, to say nothing of the dead, were left to their fate and disappeared.

The next morning, the wind having abated, the Athenian fleet effected its junction at Mitylene with that of Conon, who told them of the escape of the fleet which had been blockading him. Instead of instantly turning in pursuit to prevent if possible the concentration of the scattered fleets of the enemy, the Athenian fleet put in at Mitylene first, then sailed against their enemy at Chios, but accomplished nothing whatever there, and finally sailed away toward Samos.³ A glorious victory, won by the prowess of individual ships of the fleet rather than by any tactics adopted and carried out by the generals in command, had been marred by two inexcusable failures on the part of those generals: the failure to rescue the surviving crews of the disabled vessels before the storm made such rescue impossible; and the failure to attack either of the two divisions of the enemy's fleet while separated from one another and disheartened by defeat. Considering that the Athenian fleet was manned to an unusual degree by actual Athenian citizens instead of mercenary sailors; that twenty-five ships with nearly all on board, or about five thousand men, had been lost, and half of the men needlessly; that nothing had been gained except the relief of the beleaguered Conon; and that the whole issue—the naval supremacy of the Ægean—was still to be fought over again, it is no wonder that the victory

¹ *Ibid.*, i. 6, §§ 36, 37.

² *Ibid.*, § 35.

³ *Ibid.*, § 38.

of Athens was thought to be "Cadmeian", even before the death of the culpable generals, though the famous dream of Thrasyllus¹ depends for its rhetorical effect upon the subsequent tragedy.

The details of this subsequent tragedy are known to us mainly from the strangely incomplete story of Xenophon,² a writer whose oligarchical and Lacedæmonian sympathies are well known. His tendency is to make the conduct of the Athenian democracy seem as ridiculous as possible. His narrative, however, must be supplemented from the speech attacking the whole career of Theramenes which he puts into the mouth of Critias, and the *apologia pro sua vita* which he puts into the mouth of Theramenes in the dramatic scenes just preceding the latter's death, as well as from the numerous allusions to the conduct of Socrates in refusing to put an illegal motion to vote before the ecclesia, and from Diodorus (Ephorus).

In Xenophon's rhetorical *Agon*,³ where the speeches are to be treated exactly like the speeches in Thucydides—i. e. as rhetorical embellishments of the historical narrative, studded with phrases that actually were, as well as with those which, in the opinion of the historian, might well have been used on this particular occasion—the charge of Critias which seems to sting Theramenes most, and to which he first replies, is this: "This is the man who, ordered by the generals to rescue the drowning Athenians in the sea-fight off Lesbos, did not rescue them, and then accused the generals of the neglect, and got them put to death in order to save his own life".⁴ The burden of Theramenes's reply to this deadly charge is that in accusing the generals he was only acting in self-defense, since they accused him first of not carrying out the orders for rescue which had been given him. It was easy for him to convince the people that the storm rendered this impossible, since the generals admitted and even insisted that it was true.⁵

Why then were the generals put to death? For not having done what Theramenes convinced the people could not be done by reason of the storm? That would have been a cruel absurdity, to a belief in which the sophistical rhetoric which Xenophon puts into the mouth of Theramenes⁶ need drive no one. "In urging in my defense", Xenophon makes Theramenes continue, "the fact that the storm made it impossible even to sail at all, to say nothing of res-

¹ Diodorus, xiii. 97, §§ 6 ff.

² *Hellenica*, i. 7.

³ *Ibid.*, ii. 3, §§ 24-49.

⁴ *Ibid.*, § 32.

⁵ *Ibid.*, i. 7, § 6.

⁶ *Ibid.*, ii. 3, § 35. We need not suppose, as Pöhlig does (*loc. cit.*, 235), that Xenophon reproduces as nearly as he could a speech which he had himself heard, though this is not impossible.

cuing the [drowning] men, the city decided that I was within reason; but the generals were thought to inculpate themselves. They asserted over and over again that it was possible to save the men, and then abandoned them to destruction and sailed off".

Now, whoever can believe that the Athenian people pardoned Theramenes for not executing the commission to rescue the sinking crews given him by the generals, because he convinced them that the storm rendered the service absolutely impossible, but put the generals to death because their charging Theramenes with delinquency in executing the commission proved that they thought the service possible, and this on the basis of a rhetorical embellishment in a writer known to be bitterly hostile to the Athenian democracy—with such a one there is no further arguing. But he who cannot believe the Athenian people guilty of such bloody casuistry has a right to reconstruct a version of the affair of the condemnation of the generals on the basis of the indirect testimonies of the rhetorical authorities, when they are not warping facts for the sake of their rhetoric.

The first despatches of the generals after the battle made no mention at all of the tardy commission of the squadron of rescue, but simply laid to the storm the failure to rescue the sinking crews.¹ After the fruitless return of the victorious fleet, however, to Samos, when private advices of the conduct of the generals during and after the battle off the Arginusæ had supplemented their official despatches, all the eight generals who had been in command were deposed, and summoned home for an accounting. Two new generals, Ademantus and Philocles, were sent out to act with the liberated Conon.² The fatal results of having too large a board of commanders for particular service were thus tacitly recognized. Two of the delinquent eight generals, foreseeing the tempest of wrath which awaited them at Athens, and conscious of fault, did not venture to return for an accounting, but went into voluntary exile; six returned. Erasinides was at once accused by Archedemus, the demagogue in charge of the proletariat's *diobelia*,³ of pecuniary malfeasance in office, as well as of military misconduct. It was Erasinides, it will be remembered, who insisted, at the council of war, that the whole fleet should sail at once to Mitylene. The court remanded him for trial before the ecclesia.⁴ The senate, after hearing the other five, remanded them also for trial before the ecclesia.⁵

¹ *Ibid.*, i. 7, § 4.

² *Ibid.*, § 1.

³ *Ibid.*, § 2, adopting Dindorf's *διωβελίας* for the impossible *διωκελίας* of the MSS.

⁴ *Ibid.*, § 2.

⁵ *Ibid.*, § 3.

It had become well known by this time what their line of defense was to be. They were going to bring forward in their own defense the dilatory council of war and its cumbrous and at last impossible scheme for rescuing the sinking crews. If any one was to be held responsible by the people for the wholly unnecessary loss of the lives of brave victors, it should be, they would urge, the trierarchs Thrasybulus and Theramenes, those friends of the discredited Alcibiades. At once these two powerful men with their powerful following were converted into bitter enemies.¹ It was easy for them to show that when their commission was finally given them to rescue the sinking crews, it was already too late, and that the lives of the brave victors were really lost in consequence of the criminal delay which the generals allowed to occur between the close of the battle and the council of war, of which delay the generals had said nothing in their official despatches. For that fatal delay the generals, and the generals alone, were responsible.

The Apaturia festival, which intervened between the first and the second ecclesia, when the senate had been directed to propose a mode of procedure in the trial of the generals, naturally served, and would have served even without the emphasis said by Xenophon to have been laid upon it by the powerful party of Thrasybulus and Theramenes, to increase the popular wrath at that fatal delay.² A member of one of the abandoned crews, who had almost miraculously escaped, brought the fearful message from his drowning comrades to the people that the generals had left the city's bravest men to perish.³ Like a Paris commune the infuriated people swept all legal barriers and all the apologetic eloquence of Eurypotemus, which could only dwell after all on the tardy measures for relief taken by the generals after the fatal delay, alike aside, and hurried the guilty men, who had tried to roll the burden of their guilt upon innocent subordinates, to a common death which was certainly a most frightful travesty of justice. And yet justice was travestied, not in that innocent men were punished with death, but in that incompetent and cowardly men were punished beyond all just measure.

There is no evidence that Thrasybulus and Theramenes desired the death of the generals; they simply insisted that they, and they alone, should bear the blame for the first and fatal delays. And when the people afterward repented, not of having punished the generals, but of having punished them too hastily and severely, they wreaked their remorse on those who had incited them to the pun-

¹ Diodorus, xiii. 101, § 3.

² Xenophon, i. 7, §§ 7, 8.

³ *Ibid.*, § 11.

ishment which was too hasty and severe,¹ and not at all on Thrasybulus and Theramenes, who remained, both of them, in high honor. And it is very noticeable that Lysias, in an oration the success of which depended upon his blackening the character of Theramenes, makes no mention whatever of his behavior toward the generals at the Arginusæ, and in speaking of the punishment of those generals because they alleged that a storm prevented them from rescuing the sinking crews, attributes it to the feeling of the Athenian people that it was their duty to avenge the valor of the dead upon their commanders.²

Again, as after the revolution of 411, it was the misfortune, not the fault of Theramenes that he was obliged to oppose those whom he had formerly served. The *Frogs* of Aristophanes, brought out in the spring following the death of the six generals, contains thrusts at Theramenes which have just enough point to them to be intensely humorous, after the manner of Old Athenian Comedy, but also just enough falsity in them to be genuinely tragical. "That's like the man of brains and wit and large experience that you are", sings the chorus in praise of the shifty Xanthias, "to roll over to the comfortable side of the boat every time, rather than to stand like a graven image of consistency; and this twisting and turning toward the softer spot is the mark of a clever man, and of a regular Theramenes".³ And again, when Euripides claims Theramenes "the specious (*ὁ κομψός*)" as a specimen disciple, Dionysus cries: "Theramenes? a learned fellow, and powerful every way, who, if trouble comes, and he is right close by, makes the luckiest kind of a throw and escapes the trouble all right".⁴ It was a nasty scrape, that affair of the neglected hulks off the Arginusæ, and Theramenes was closely involved, and he did get off scot free, while his superior officers perished. But that is all that is needed to point the shafts of satire. We may be sure the jests would not have been so delicate if Aristophanes had in his heart believed that Theramenes betrayed his generals to death in punishment for a sin of which he had been more guilty than they. Even Old Athenian Comedy would hardly toy thus with a red-handed and treacherous murderer. The same playful tone toward Theramenes is maintained also by the earlier scholia on these verses of the *Frogs*; the later scholia adopt the Lysianic tone, in spite of the fact, which they note with surprise, that "Thucydides praises him".

¹ *Ibid.*, i. 7, § 35; Diodorus, xiii. 103, §§ 1, 2; Aristotle, *Ath. Pol.*, 34, § 1.

² *Contra Eratos.*, § 36.

³ vv. 534-541.

⁴ vv. 967-970.

IV. *The Establishment of the Thirty in Athens (404-403 B. C.).*¹ With what are, for present purposes, unimportant differences in minor details, Xenophon, Diodorus (Ephorus), and Aristotle put a more or less eulogistic interpretation on the motives of Theramenes's participation in the events of this closing period of his life, and Lysias alone a malignantly hostile interpretation. The main events of the period are familiar, and there is little dispute about what Theramenes actually did, as in the matter of the death of the six generals, but diametrically opposite judgment of his motives in doing what he did. Here Lysias is the mouthpiece of the most radical democracy, which hated the conservative and mediating course of Theramenes almost if not quite as bitterly as it hated the extreme oligarchical procedure of a Critias, and quite as bitterly as Critias hated Theramenes. "Die Anhänger der *πᾶσι τοῖς πολέταις*", says Wilamowitz-Möllendorff,² "waren von beiden Seiten angefeindet, aber sie haben in Wahrheit Athen gerettet; die Radikalen fürchteten sie ungleich mehr als die extremen Oligarchen".

When this young and brilliant man pronounced his oration against Eratosthenes, who had been one of the Thirty, he was inspired by two passionate desires: one to avenge the shameful murder of a beloved brother by order of the Thirty, the other to establish such a reputation for himself as would make the career of *λογογράφοις*, which he had chosen for support in reduced circumstances, a lucrative one. A metic himself, he naturally reflected the sentiments of extreme democracy. But there were still more cogent reasons for the malignant attack on Theramenes which occupies so large a part (nearly one-fifth) of the speech against Eratosthenes. Like Theramenes, and following his lead, Eratosthenes had belonged to the moderate wing of the Thirty, but had been successfully terrorized, as Theramenes could not be, into acquiescence in the murderous excesses of the extreme oligarchs. The restricted democracy being now restored again by Thrasybulus, and Theramenes being naturally its idol—not only because a restricted democracy had been the constant aim of his political activity, but because he had given his life in an unavailing effort to secure it from Critias and the extremists, Lysias can only win his case against Eratosthenes by blackening the memory of Theramenes, behind whose popularity with the restored democracy Eratosthenes was evidently shielding himself. "Let no one fancy", Lysias says,³ "that I am accusing Theramenes though Eratosthenes is the man on trial. I understand that Eratos-

¹ The ancient authorities here are Xenophon, *Hellenica*, ii. 2-3; Lysias, *contra Eratos.*, 68-80; *contra Agor.*, 8-46; Diodorus, xiv. 2-5; Aristotle, *Ath. Pol.*, 34-37.

² *Aristoteles und Athen*, II. 222.

³ § 62.

thenes intends to defend himself with the plea that he was a friend of Theramenes and a partner in his achievements . . . that man who cheated the citizens into tearing down, to please Sparta, the walls which Themistocles built in spite of Sparta". Here Lysias subtly improves the telling rhetorical thrust made at Theramenes more than a year before, as we learn from Plutarch,¹ by a young orator named Cleomenes, to which at the time Theramenes had made the perfect reply: "Themistocles raised these walls for the safety of the citizens, and we pull them down for their safety; and if it is walls alone that make a city happy, then Sparta must be the most wretched of all cities, since she has none whatever".

By his long, patient, unenviable, and thankless labors as mediator between Sparta and Athens after the catastrophic defeat of the latter at Ægos Potami, Theramenes did actually save Athens from a far worse punishment than that which finally befell her, for there were many and powerful enemies of Athens who clamored for her utter extinction.² The resistance of Athens to Sparta after Lysander by sea and Agis by land had closed in upon her was as hopeless and useless as the resistance of the commune of Paris to the investiture of the Germans—far more so, since there were no provinces to which Athens could appeal for help. But this hopelessness and uselessness the socialistic democracy of Athens would not see till hunger opened their eyes, and then they had to accept less favorable terms than Theramenes could have secured for them before their exasperating delay. Then they were fain to lay their sufferings from famine at the door of the man who had saved them, and Lysias magnifies their cruel injustice, and fixes it forever in the brilliant rhetoric of his special pleading, even after that savior had sealed his devotion to the best interests of his city with his life. The fact that Eratosthenes as friend and follower of Theramenes could count on sympathy, "dient dem Redner [Lysias]", says Wilamowitz-Möllerndorff,³ "nur zu dem vom wildesten Hasse eingegebenen und gröbste Lüge nicht scheuenden Angriffe auf den toten, von eben den Dreissig getöteten Theramenes".

Passing now over the malignant interpretations of the career of Theramenes down to the time of the Thirty, which Lysias goes on to give, since they have been already, in large part, considered, we come to the charge, inherently so damaging to the case of Lysias, that Theramenes took advantage of the high honor and esteem in which the people held him to come forward, when Sparta was un-

¹ *Lysander*, xiv.

² Xenophon, ii. 2, § 19.

³ *Aristoteles und Athen*, ii. 222.

willing to grant terms of peace acceptable to the extreme democracy, and deceive the people into entrusting the terms of peace entirely to him, promising that he would make peace without giving of hostages, without demolition of walls, and without surrender of ships. Of what simple facts this charge is a gross perversion may be seen from the narrative of Xenophon,¹ which is certainly told in none too friendly a spirit toward Theramenes:

Such being the state of affairs [*i. e.*, a hunger-driven embassy to Agis, and from him toward Sparta with proposals contemptuously rejected by the Ephors on the border; then despair, fear of enslavement, of ravages by famine, and yet greater fear to propose acceptance of the Spartan demand for the demolition of part at least of the long walls, because it had been voted illegal], Theramenes proposed in ecclesia that if they would send him to Lysander, he would ascertain before he came back what the real intention of the Spartans was in insisting on a demolition of the walls — enslavement, or a guaranty of good faith.

But it is needless to follow in detail Lysias's interpretation of those acts of Theramenes which made him the Thiers of this vexatious and inglorious time. A sentence of George Saintsbury's on Thiers might, *mutatis mutandis*, be said of the successful conclusion of peace between Athens and Sparta by Theramenes: "After contesting the matter, on the one side with the determination of Germany to have the pound of flesh, on the other with the reluctance of the Assembly to submit to the knife, he succeeded in convincing the deputies that the peace was necessary".² The resemblance between Lysander and Bismarck makes the parallel all the more complete.

The same fact in Theramenes's career at this time is capable of diametrically opposite interpretations according to the friendly or hostile attitude of the judge. Theramenes did undoubtedly remain with Lysander nearly four months after he had gone from a starving city to see what his harsh terms of peace really meant. A defamer like Lysias says that his delay was intentional,³ in order that the democracy might be starved into acceptance of the oligarchical terms which he, in collusion with Lysander, was eager to impose upon his city. A fervent modern apologist interprets the fact thus:

Das war ja nun offener Wahnsinn [*i. e.*, the refusal of the radical democracy under Cleophon to listen to any terms from Sparta involving demolition of the walls]; denn Athen hatte von keiner Seite Hilfe zu erwarten . . . jede Verlängerung des Widerstandes also konnte nur die Folge haben, die Forderungen der Sieger zu steigern. . . . Das abzuwenden, erbot sich Theramenes, als Gesandter zu Lysandros zu gehen, um den Versuch zu machen, bessere Bedingungen zu erwirken; er wusste

¹ ii. 2, § 16.

² *Encyclopædia Britannica*, art. Thiers.

³ *Contra Agorat.*, § 11.

natürlich sehr wohl, dass er nichts erreichen würde, aber es galt, die Verhandlungen hinzuziehen bis das Volk zur Besinnung gekommen wäre.¹

Theramenes himself said, according to Xenophon,² that Lysander had detained him all that time, and then had sent him back with the old message of Agis, that Athens must apply to the Ephors, not to him. It was Lysander, then, who was trying to starve the democracy of Athens into reason. There is absolutely no reason why the word of Theramenes should not be taken here.

Again, in the establishment of the Thirty in Athens, no doubt Theramenes worked in concert with Lysander, because he had to. Some concessions to a conqueror must always be made. But when Lysander had left the Thirty to themselves, Theramenes began to insist, as he had insisted during the oligarchy of the Four Hundred, six years before, that the political power be lodged in the hands of a limited body of citizens who were able to serve the state with arms and money. This was his constant ideal. When the ruthless proscriptions by the extreme oligarchs among the Thirty began to make their hold of power precarious, he boldly opposed the mercenary murders which his colleagues were setting on foot—such murders as that of Lysias's brother, Polemarchus—and urged that the list of three thousand citizens which the extremists had reluctantly drawn up be indefinitely enlarged. How Critias, fearing that his cruel sway would be overthrown by the more popular policy of Theramenes, coerced the cringing Senate into acquiescence in the execution of Theramenes as a traitor is a familiar story.

Lysias³ would have agreed with Critias,⁴ extreme democrat with extreme oligarch, that Theramenes was led by disappointment and jealousy to plot against his colleagues, as he had done at the time of the Four Hundred. But Xenophon puts a perfect defense in the mouth of Theramenes⁵: as long as the Thirty labored to establish a strong and good government, he was with them; but when they began to persecute good citizens, then he turned against them. And better still is Aristotle, in a passage from which, until the discovery of the *Constitution of Athens* in 1890, we had only a fragmentary and tantalizing citation in Plutarch's *Nicias*⁶:

The best conservative Athenian statesmen, after the ancients, would seem to have been Nicias, Thucydides (son of Melesias), and Theramenes. As regards Nicias and Thucydides, there is almost universal agreement that they were not only good and true men, but also statesmen who served the whole state with all the affection of a father toward a

¹ Beloch, *Griechische Geschichte*, II. 106.

² ii. 2, § 17.

³ *Contra Eratos*, § 78.

⁴ Xenophon, ii. 3, § 28.

⁵ ii. 3, § 38.

⁶ C. ii.

child ; but as regards Theramenes, from the fact that political affairs in his time were so full of convulsion, there is some debate about the final estimate. To those, however, who pronounce no cursory opinion, he appears not to have destroyed all the forms of government under which he lived, as they slanderously say of him, but rather to have furthered them as long as they transgressed no law, with the feeling that he could serve his country under all forms of government — which is the sign of a good citizen ; as soon as they ran counter to the laws, he no longer gave them allegiance, but incurred their hate.¹

It cannot rob these words of their convincing force to assign them to some oligarchic "source" from which Aristotle is drawing. Even in that case, Aristotle makes them his own by adoption, and gives them the great weight of his judicial opinion. It is the verdict of a great political student, whose political preferences were for a constitution midway between that of Pericles and that of Antiphon, in favor of a man who had consistently sought to establish such a constitution, only to be hated therefor by extreme democrats like Lysias, and extreme oligarchs like Critias.

It is needless to go into the separate details of this last effort of Theramenes to realize his constant ideal of a restricted democracy. According as the historian comes to their consideration with a favorable or an unfavorable estimate of the aims and motives of Theramenes hitherto, will he judge them in the Lysianic or the Aristotelian spirit. If he finds that in the first three great issues of his career Theramenes consistently followed a *via media* between the two extremes of political faction in the state ; that he devoted his great powers to the loyal service of the state in subordinate as well as commanding capacities ; that he was unfortunate but not culpable in the fact that twice he was obliged to see former comrades and colleagues suffer for conduct in which he had properly refused to keep them company, then the historian will estimate the motives which actuated him during the last great issue of his life—the establishment of peace between Athens and Sparta, in the Aristotelian spirit. Athens was inextricably in Sparta's power, and starving at that ; while the two extremes of political faction differed from one another in their policy as far as unconditional surrender and no surrender at all. It was pity, the historian must say, not selfish ambition, which drove Theramenes to undertake personally negotiations for peace with a Sparta where Lysander's word was law. He had to work with Lysander in order to bring anything to pass ; but it is gross injustice to attribute to him, as Lysias does, the motives which undoubtedly did actuate Lysander in what they jointly brought to pass. Here again the words which aptly describe the work of

¹ *Ath. Pol.*, 28, § 5.

Thiers in effecting a peace between France and Germany in 1871 are apposite:

Probably no statesman has ever had a more disgusting task; and the fact that he discharged it to the satisfaction of a vast majority, even in a nation popularly reputed the vainest, the least ballasted with common sense, and the most ungrateful to public servants who are unsuccessful, is the strongest testimony to Thiers's merits.¹

What the final word of Thucydides about Theramenes would have been, had he lived to write of the execution of the six generals and the establishment of the Thirty in Athens, can only be conjectured. But since he does not expressly condemn his motives in the deposition of the Four Hundred, and does praise the constitution which historians with perfect justice call the "Constitution of Theramenes" as the best which Athens ever had, we may be reasonably sure that he would have had only praise for him when he attempted to reestablish that constitution in opposition to the cruelties of the extremists among the Thirty. Thucydides and Aristotle, then, in calm and dispassionate commendation of Theramenes's career, stand over against a wavering, uncertain Xenophon, and the rhetorical partizan of the Athenian commune, Lysias. Thus far the partizanship of Lysias disfigures too much the current modern estimates of Theramenes; but the estimates of Thucydides and Aristotle must in the end prevail. No one holds that Theramenes was exempt from the faults so generally characterizing his day and generation; he may have been, judging by modern standards, ambitious, cruel, sophistical. But judging by the standards of his time, he was free from treachery and chicanery, a sincere patriot, and, as Aristotle insists, a good citizen.

Erst die Nachwelt hat ihm Gerechtigkeit widerfahren lassen; Aristoteles nennt ihn einen der drei besten Bürger, die Athen seit den Perserkriegen hervorgebracht habe, und ähnlich war das Urteil des ganzen späteren Altertums. Wir aber, die wir heute in demselben Kampfe stehen, gegen ein beehrliches Proletariat und ein ebenso beehrliches Junkertum, werden dem antiken Vorkämpfer unserer Sache unsere Sympathie nicht versagen.²

BERNADOTTE PERRIN.

¹ George Saintsbury in *Encyclopædia Britannica*, art. Thiers.

² Beloch, *Griechische Geschichte*, II. 72-73.

With his artistic and impassioned *Gorgo*, a *Romance of Old Athens* (Boston, 1903), Professor Gaines, of St. Lawrence University, while naturally making many assumptions in favor of Theramenes for which there is no historical warrant, has admirably succeeded in that rehabilitation of Theramenes which this paper seeks to accomplish by the slower and duller art of the historian.

So Professor Morgan, of Harvard University, in the introduction and notes to the *Eratothenes* in his *Eight Orations of Lysias* (Boston, 1895), shows himself fully in sympathy with the Aristotelian estimate of Theramenes.

CORNAGE AND DRENGAGE

IN the medieval records, whether national or local, that relate to the four northern counties of England, the term cornage¹ occurs with some frequency from the twelfth to the fourteenth centuries. The question of the origin and nature of the institution to which this term applied has been discussed with various degrees of learning and acumen since the time of Littleton without, unhappily, producing any explanation that has passed unquestioned. The truth is that the documents at our disposal appear to contradict one another, to lack self-consistency. The term cornage would seem to describe now one thing, now another, according to the date of the document or the region from which it emanates, and yet there is evidence of an original and underlying unity which cannot be disregarded.

A plain statement of a troublesome problem is often a step toward its solution. A statement of that kind, based on a reëxamination of such material as is available in print, is the purpose of the present study. It should be remarked at the outset, however, that our evidence is meager and fragmentary; further, that it consists of two classes, namely, national and local records. Now, in treating problems of local history it is manifest that the evidence of a local charter, chronicle, or other record is to be preferred to that of a document emanating from any of the departments of the central government. Obvious as this principle is, it has been too often disregarded, and particularly in the discussions of cornage this disregard has produced unnecessary complication and confusion.

The records of the bishopric of Durham furnish fuller and more continuous illustration of cornage than those of the adjoining counties, and may therefore be examined first. The earliest texts come from the reign of Henry I. They consist of a charter of Bishop

¹Other terms were also employed, *geldum* or *cornagium animalium* in the pipe-roll of 31 Henry I. for Cumberland and Durham, edited by Joseph Hunter (Record Commission, 1833); *gablum animalium* in a charter of Henry I., *Placitorum Abbre-viatio* (Record Commission, 1811), 66b, 67a; *noutegeld* in *The Pipe Rolls for the Counties of Cumberland, Westmorland, and Durham, during the Reigns of Henry II., Richard I., and John*, in the rolls for Cumberland and Westmoreland, Society of Antiquaries of Newcastle-upon-Tyne, 1847; *hornegelde*, *Bracton's Note Book* (edited by F. W. Maitland, 3 vols., London, 1887), No. 1270; cf. *Victoria History of Cumberland* (London, 1901), I. 314-315.

Ranulf Flambard,¹ restoring to the prior and convent certain lands of which he had deprived them, and the king's confirmation of that charter. The bishop conveys *inter alia* "Burtun cum solitis consuetudinibus"; the king is more explicit: "cornagium de Bortona quod Unspac tenet, scilicet, de unoquoque animali 2d."² Here then is a point of departure; cornage was a payment made by a vill—not by the lord of the vill—on beasts at the rate of two pence per head. The natural inference that in this case at least the payment was made for the right to pasture cattle would be confirmed by the fact that in 1296 the *communitas* of Burton was permitting the tenant of every bovat in the vill to turn out two beasts on the pasture.³ After the death of Flambard in 1128 the see was vacant for five years, and its revenues therefore figure in the national accounts. In the pipe-roll of 31 Henry I. accordingly we may read in the account of Geoffrey Escolland, who was keeper of the temporalities *sede vacante*, "de cornagio animalium episcopatus" 110l. 5s. 5d.⁴

From this it might be inferred that all the villis of the bishopric paid the bishop for the pasture of their cattle, and that cornage was therefore a universal institution and a source of considerable revenue. But this, in the light of further evidence, would be an unauthorized conclusion. Evidence of this sort comes from the well-known record called *Boldon Book*, the survey in which in 1183 Bishop Hugh Pudsey ordered to be described "omnes redditus totius Episcopatus sui sicut tunc erant, et assisas et consuetudines sicut tunc erant et ante fuerant",⁵ a kind of local Domesday Book. Now it is commonly said that this record received its name from the vill of Boldon, to the minute description of which, as the typical episcopal manor, the reader is frequently referred.⁶ It will presently be shown that this statement is misleading, but let us consider first the cornage payments on the manor of Boldon. There are twenty-two villains, each holding two bovates of land and doing week-work

¹ Flambard became bishop of Durham in 1099; he was deprived in 1100, restored again in 1107, and died in 1128; W. Stubbs, *Registrum Sacrum Anglicanum* (second edition, Oxford, 1897), 41; Le Neve, *Fasti Ecclesie Anglicane*, edited by T. D. Hardy (Oxford, 1854), III. 282–283; J. H. Ramsay, *Foundations of England* (London, 1898), II. 256.

² Both charters are printed in *Feodarium Prioratus Dunelmensis* (edited by W. Greenwell, Surtees Society No. 58), 145 note, 149 note.

³ *Durham Halmote Rolls* (edited by J. Booth, Surtees Society No. 82), 12.

⁴ *Rotulum Pipe 31 Henrici I.* (ed. Hunter, Record Commission, 1833). A translation of the part of the record referring to Durham may be read in Canon Greenwell's edition of *Boldon Book*, Surtees Society No. 25, appendix, i–iii.

⁵ *Ibid.*, I.

⁶ Robert Surtees, *History of Durham* (London, 1816), I., Part I., xxvi, 73; T. D. Hardy, *Catalogue of Materials* (Rolls Series, 1865), II. 445. But see *Boldon Book*, preface, v–vi; C. Gross, *The Sources and Literature of English History* (New York, 1900), No. 1898.

and boon-work, as well as a particular allotment of plowing, harrowing, and mowing and certain miscellaneous and occasional services; further, there was an annual render in money and kind; finally, "Tota villa reddit 17s. de cornagio et i. vaccam de metride."¹ The bishop's unfree tenants at Boldon, that is, are making a payment for what we have inferred to be the right to pasture cattle, and further are making it partly in money and partly in kind, by the render of a milch cow. The villains of many other of the bishop's manors were also paying cornage. It should be noted, moreover, that with a few exceptions, which will be dealt with presently, this obligation rested on the unfree only. In Boldon in 1183 there is no doubt that cornage is merely an incident of unfree tenure, a seigniorial due, and, if compared with others, not a very important one.²

Now this due, and here is a point of importance, was not incumbent on all the manors of the bishopric. *Boldon Book* deals with, roughly, about 141 villis; of these thirty are noted as rendering cornage and a milch cow, and form therefore a distinct type or class. Nine more may be added because, although they pay no cornage, they render either the milch cow or "castleman" (an incident distinct from cornage, but characteristic of the type),³ or, as in the case of Norton, are relieved from cornage "pro defectu pasturæ".⁴ Further, fourteen villis, having compounded for all or nearly all their service for a money payment, might be regarded as doubtful. Still, as one of these is noted in *Boldon Book* itself as paying a composition for cornage, and two others in *Bishop Hatfield's Survey*, a fourteenth-century record similar to *Boldon Book*, it may be inferred that the rest are of another class. Finally, thirty-nine villis in *Boldon Book* are held of the bishop in chief, and here the services are not enumerated, but on turning to *Hatfield's Survey* we find that only three of them are paying a cornage composition. This rough calculation shows that of the 141 villis enumerated in *Boldon Book* only forty-five, or less than one-third, are of the cornage type.

It is clear now that not all the villis of the bishopric paid cornage. Were it convenient in this place to enter into a more minute analysis

¹ *Boldon Book*, 3-4.

² The bishop took from Boldon 55 shillings scot and 28 shillings, six pence average penny as against 17 shillings cornage plus 6 shillings, the regular tariff of composition for the milch cow.

³ On this point see Hubert Hall, *Red Book of the Exchequer* (Rolls Series, 1896), II, preface, ccxxxvi-ccl; J. H. Round, *The Commune of London* (London, 1899), 278-288, and the same writer's paper on "Castle Guard," in *Archæological Journal*, second series, IX. 144-159.

⁴ *Boldon Book*, 12-13. This was a permanent exemption and not due to the failure of pasture for a single season, for the entry reappears in *Bishop Hatfield's Survey*, circa 1384 (edited by W. Greenwell, Surtees Society No. 32), s. v. Newton.

of *Boldon Book*, it could be shown that all the villis group themselves naturally into four or five classes. These classes resemble each other in the general nature of the unfree tenure, the services rendered, and the like, but they differ in certain particular burdens or obligations arising, as it would seem, out of special conditions or environment. A good example of this contrast is found in the group of villis which lay within the bishop's forest and were burdened with certain services in the *magna casa*, the great annual battue.¹ Just as these were forest villis, so those of the Boldon or cornage-paying type were pasture villis, and for the most part intercommoning. This indeed seems to have been a very general usage in the bishopric; fifteen of the forty-five cornage villis are grouped in pairs or triplets for the render of cornage and milch cows,² and in a charter of Roger Bertram, lord of Ketton, in the second half of the twelfth century, it is stipulated that his men are to have common pastures with those of a neighboring vill, "sicut habent alia vicinæ villæ in aliis vicinis locis."³

At the close of the twelfth century, then, cornage in Durham was an incident of unfree tenure in certain specially situated villis. It was being paid partly in kind and partly in a money payment specifically described as the composition for the render of a cow (*vacca de metride*), indicating that the institution was already ancient and had been made the subject of at least a partial composition. From the nature of the evidence connecting cornage at every turn with cattle and pasture we are led to the inference that it was a payment made for the agistment of cattle, and from the survival of the render of a milch cow that it had originally consisted of an annual render of cattle, perhaps a proportion of the increase of the herd.

This raises several interesting points in regard to the dark beginnings of the institution, connecting it at once with the obscure and vexed questions of manorial origins. Is the fact that the lord is taking tribute for the use of the pasture-land a usurpation or the recognition of an act of grace and favor? Or again, is it to be regarded as the survival of the privilege of a tribal chief from whom the ancestors of these cornage-paying villans had received stock? These speculations fall outside the scope of the present essay, which aims rather to discover what cornage meant to the men of the

¹ Stanhope is the type of this class, *Boldon Book*, 29. This hunting tenure is not peculiar to Durham, and even there is not restricted to the unfree. See Frederic Seebohm, *The English Village Community* (London, 1883), 71.

² E. g., *Boldon Book*, 5, 6, 9; cf. also *Finchale Chartulary*, Surtees Society No. 6, Nos. xcv, cxx, cxxi.

³ *Feodarium*, 156, note.

twelfth century, who met with it as a vital if already isolated and decaying institution. The knowledge of how it came into being and what it might have been at its prime cannot, for the present at least, be attained unto.

Thus far our results are simple, obvious, and for the most part familiar. Many writers have already defined cornage as a tribute on horned cattle turned out to pasture, although up to the last century the learned antiquarian world was satisfied with Littleton's fantastic definition.¹ Surtees, the historian of Durham, in the last century recognized that cornage was a tribute on beasts²; somewhat later John Hodgson Hinde, the Northumbrian antiquary, treated the matter at greater length, reaching the conclusion to which we have already been led.³ Then Mr. Seebohm, working from *Boldon Book*, stated the matter in clear terms in 1883,⁴ and in 1894 Mr. Crump called attention to the important charter of Henry I. which has been quoted above.⁵ Finally this conclusion has received the warrant of high authority by the adhesion of Professor Maitland and Mr. Round.⁶

But we may not yet congratulate ourselves that we have reached the whole truth about cornage. Some disconcerting texts remain to be examined. In the first place, *Boldon Book* affords several instances of freemen paying cornage, a fact which apparently reverses our theory that cornage was distinctively an incident of unfree or villain-tenure. But if we suppose that, like many other such incidents, this charge had by the twelfth century got itself fastened to the soil and in such a way indeed that every bovat in any vill was answerable for a fixed portion of the cornage of that vill, then the difficulty disappears. If a free tenant held several bovates in a cornage-paying vill, he would naturally not be grouped for the purpose of cornage with the villains, nor, on the other hand, would the bishop be deprived of his due by reason of his tenant's status. Again, the same reasoning would hold in case the whole or the fraction of a cornage-paying vill was granted to a freeman. With this

¹ Sir Thomas Littleton, *Tenures* (London, 1829), paragraph 156: "It is said, that in the marches of Scotland some hold of the king by cornage, that is to say, to wind a horn, to give men of the country warning, when they hear that the Scots or other enemies are come or will enter into England".

² Surtees, *History of Durham*, I. 252.

³ Hodgson, *History of Northumberland* (Newcastle-upon-Tyne, 1858), I., Part I. 258-263.

⁴ Seebohm, *English Village Community*, 68-72.

⁵ R. H. I. Palgrave, *Dictionary of Political Economy* (London, 1894), I. 426-427.

⁶ F. W. Maitland, "Northumbrian Tenures", in *English Historical Review*, V. 627 ff. (October, 1890); *Domesday Book and Beyond* (Cambridge, 1897), 147; J. H. Round, *Commune of London*, 278-288.

hypothesis in mind, we may examine the passages referred to. At Heighington there are sixteen villains, each of whom holds two bovates; these render *inter alia*, 36*s.* de cornagio and one milch cow. Now follow two striking passages: "Hugo Brunne tenet, quamdiu uxor ejus vixerit, ii. bovates pro iis., quos reddit ad cornagium. . . . Simon hostiarius ibidem tenet terram quæ fuit Utredi, cum incrementis quæ Dominus Episcopus ei fecit usque ad lx. acras, et reddit pro omnibus i. besancium¹ ad Pentecostem."² Now the first of these gives us the cornage rate at Heighington; it was one shilling on the bovate, and the words "reddit ad cornagium" certainly suggest a contribution to some larger sum. Further, the phrasing of the text suggests a beneficial rating; it was being held at sixty acres—that is, of course, two bovates—and it paid two shillings as a contribution, we can scarcely doubt, to the cornage of the vill. For observe that at the rate of one shilling on the bovate the sixteen villains would pay only thirty-two shillings, four shillings short of the recorded cornage of the vill. Now if you add the four shillings from the two free tenants you have exactly the sum, thirty-six shillings. A similar case occurs at Escombe,³ where our formula may again be tested. There are fourteen villains, "quorum unusquisque habet i. bovata, et reddit et operatur omnibus modis sicut villani de North Aclet." At North Auckland each villain rendered nineteen pence cornage. Now at Escombe "Elzibrid tenet dimidiam bovata, et reddit . . . 9*d.* de cornagio", that is, at the rate of nineteen pence per bovate he is one-half penny short. The case of Herrington is very instructive.⁴ The entry reads as follows: "Duæ partes de Heringtona, quas Hugo de Hermas tenet, reddit [*sic*] 20*s.* de carnagio et ii. partes i. vaccæ de metride", etc. Observe that it is not the tenant Hugh who is described as paying the cornage and the proportion of the milch cow, but the two parts of the vill which he holds. This corroborates our inference that cornage had become a

¹ *I. e.*, 2 shillings. See *Boldon Book*, 16, 21, 30, 34. On page 30 the best manuscripts give the value of the besant at 4*s.*, but on page 34 all agree on 2*s.*, which was the customary value of the coin. Cf. C. Trice Martin, *Record Interpreter* (London, 1892), glossary, *s. v.* bisantius.

² *Boldon Book*, 21, and notes. I have adopted here the alternative readings which Canon Greenwell has placed in the notes. They correspond in nearly all cases with those of the oldest manuscript of *Boldon Book* (Stowe MS. No. 930, British Museum), of which I have a collation with the printed text. Canon Greenwell was unable to make use of this manuscript (*Boldon Book*, preface, ix). Sir T. D. Hardy was of the opinion that the Bodleian manuscript from which Sir H. Ellis printed the text of *Boldon Book* derived either from the original or from earlier transcripts than that upon which Canon Greenwell's text is based (*Catalogue of Materials*, II. 444); the collation of the Stowe manuscript bears out this view, which I have consequently adopted.

³ *Boldon Book*, 24-25.

⁴ *Ibid.*, 36.

real burden. Sheraton, again, is a case similar to Herrington.¹ John holds one-half of the vill "pro iii. marcis, et est quietus de operationibus et servitiis" in return for Craucrok, which he had quit-claimed to the bishop. "Thomas tenet aliam medietatem de Shurtona et reddit 30s. de cornagio, et dimidiam vaccam de metride", etc. Finally there is a curious case at Whitewell.² "Whitewell, quam Willelmus tenet in escambium pro terra, quam Merimius tenebat in Querindune, reddit dimidiam marcam". Now the group of villas known as Quarringtonshire had pasture and paid cornage, and it is probable therefore that when the exchange was made, this incident would be reckoned in the composition at which William was holding his new land. On turning to *Hatfield's Survey* we find this expectation confirmed. The manor of Whitewell there figures as a member of Quarrington. The master of Sherburn hospital holds the manor and the pasture and renders *inter alia* two shillings for cornage.³

We may conclude, then, that as early as the time of Bishop Pudsey's survey cornage had begun to lose its original character as an incident of unfree tenure and to assume that of a real burden; so that where a freeman received from the bishop a holding in a cornage-paying manor, or the whole of the manor, he would be responsible to his lord for a proportion or the whole of the cornage of the manor. Fortunately we have a case illustrating this change. In the middle of the twelfth century Laurence, prior of Durham, conveyed to a certain Roger the land known as Pache, a member of Monkton, Jarrow, one of the most ancient parts of the *Patrimonium S. Cuthberti*. The terms of this document are noteworthy: Roger was to hold the land "in feudum et hereditatem, ei et heredibus ejus in perpetuum possidendam, per hanc convencionem, scilicet, quod pro tota hac terra simul reddet 16d. ad Rogaciones et 16d. ad festum Sancti Martini, et pro cornagio dabit 2s. in anno, scilicet, ad festum Sancti Cuthberti, et pro metreth quantum ad eandem terram pertinet, ad festum Sancti Martini."⁴ This land was returned to the convent in 1347 by a certain Walter Smyth.⁵ In 1373 Thomas Willi was holding of the prior in Monkton eighty acres of land "quondam Walteri Smyth de Monkton quæ solebant reddere scaccario 2s. et pro cornagio 20d."⁶

Here, then, the cornage payment has fastened to the soil, has

¹ *Ibid.*

² *Ibid.*, 10.

³ *Bishop Hatfield's Survey*, 150.

⁴ *Feodarium*, 114, note.

⁵ *Ibid.* The editor, Canon Greenwell, cites the charter but does not print it.

⁶ *Durham Halmote Rolls*, 119.

become a burden on the land, a part of the *forinsecum servitium*, the obligation, that is, which the land owed to the king (in this case to the bishop), regardless of what other tenurial relations might have been established in connection with it. In that phrase lies the key to the later history of cornage in the bishopric. The changes which occurred after the Norman Conquest acted on cornage as on other institutions, fastening it to the soil. In such villas as remained in the bishop's hand, cornage continues to be paid by the villains.¹ In the villas that were granted out by him it became a part of the *forinsec* service which his tenants rendered him and which, no doubt, they collected for themselves from their unfree tenants. This point also may be illustrated by texts. In 1183 the vill of Great Usworth was in the bishop's hand; the villains rendered thirty shillings *de cornagio* and one milch cow.² In 1384 "Willelmus de Hilton miles tenet ii partes villæ de Magna Useworth, et Alicia de Moderby terciam partem dictæ villæ per servitium *forinsecum*, et reddunt per annum ad iiii terminos usuales 10s. Iidem Willelmus et Alicia . . . reddunt pro *cornagio* dictæ villæ per annum, ad festum Sancti Cuthberti in Septembri, 30s. Iidem reddunt pro i vacca de metrith, ad festum Sancti Martini, 6s." etc. The omitted portions contain a list of money payments for the renders and services of the villains as recorded in *Boldon Book*. Like cases will be found at Ivestan, Sheraton, and Herrington.⁴

In this aspect of cornage as *forinsec* service it might fairly be compared to scutage, the more so owing to the fact that the bishopric was a great franchise in which the bishop was rapidly attaining recognition of his claim to be "in loco regis".⁵ To illustrate this we may match Prior Laurence's charter, quoted above, with another issued somewhat later in the century. Odo de Bruntoft grants certain lands to Reiginard son of William to be held by him at the service of one pound of pepper and "faciendo . . . *forinsecum servitium Domini Regis scilicet scuagium in denariis quando communiter ponitur inter milites et barones de haliwariffolc quantum pertinet ad duas bovas terras in eadem villa.*"⁶

Let us bring together now the results of our examination of the Durham evidence. In the first place, whatever the origin of cornage may have been, it was, when we meet with it in the documents of

¹ E. g., *Hatfield's Survey*, s. v. Boldon, Easington, Middleham, Ryhope.

² *Boldon Book*, 35.

³ *Hatfield's Survey*, 102.

⁴ *Boldon Book*, 31, 36; *Hatfield's Survey*, 119, 152, 157.

⁵ G. T. Lapsley, *The County Palatine of Durham* (New York, 1900), chapters I., II., V.

⁶ This charter is printed *in extenso* in Surtees, *Durham*, III. 386.

the twelfth century, an incident of unfree tenure. Further, it was not universal in the bishopric, but occurred only in such villas as had pasture, and there it represented at once the villains' recognition of their lord's proprietorship of the pasture and a payment for the use of it by their cattle. This payment, it would seem, had originally been made in kind out of the annual increase of the herd, but in the twelfth century was already compounded for a money payment and the render of a milch cow. Then we have marked in the twelfth-century documents the tendency of this payment to fasten itself to the soil and become a real burden running with the land without regard to the status of the holder. Finally, from later documents we have been able to assert the predominance of this tendency, which caused cornage—or rather the money composition for cornage and the milch cow together—to merge in the forinsec service of such lands as were charged with this burden.

Certain other results, no less important because they are negative, may also be stated as the outcome of our inquiry. We have seen no warrant for describing cornage as a tenure such as might be coördinated with socage or serjeanty or the like. It was rather one of many incidents of villain-tenure peculiar to such villas as enjoyed certain advantages from their lord. Again, we have met with no reason for connecting cornage with any special form of military service incumbent on the entire bishopric. That is on the face of it impossible, because cornage was not universal. This last objection, again, will hold against any attempt to describe cornage as a general impost or tax. It is desirable to have these negative results clearly stated, because evidence will be forthcoming from other counties in apparent contradiction of them.

From the bishopric of Durham we turn naturally to the neighboring county of Northumberland, which had also formed part of the ancient kingdom of Northumbria. With this fact in mind, we should naturally expect to find the history of cornage the same here as in Durham; to find, namely, a seigniorial due transmuted into a real burden, or more fully, a render for the agistment of cattle, originally made in kind, then compounded, then fastening to the soil and becoming part of that forinsec service which might always be demanded of the land, regardless of the status of him who held it. Evidence illustrating the first stage of this history is not forthcoming. I have not found any charter to match the Burton documents, which throw so much light on cornage in the bishopric. It may indeed be suspected that the transition to the second stage was made more rapidly here than in Durham, where the peculiar conditions of government caused the development of institutions to lag behind

the kingdom, and that in Henry I.'s time men were already regarding cornage simply and solely as a burden or service. An often-quoted text bears this out. When the Cistercian house of Newminster in Northumberland was founded in 1137, it received from Ralph de Merlay certain lands which had come to him as the portion of his wife Juliana, daughter of Cospatrick, earl of Northumberland. This grant, originally made by Henry I. and confirmed by Stephen, was, when the lands were conveyed to the convent, again confirmed by Edgar, son of Cospatrick,¹ and this last document furnishes a striking text. The lands in question are confirmed to Juliana in frank marriage to be held of Edgar fully and freely "exceptis tribus serviciis, videlicet comunis excersitus in Comitatu, et cornagio, et comune opus castelli in Comitatu". So early, then, cornage was regarded merely as a burden on the land. We may even well believe, in view of some later evidence, that men had forgotten altogether its original character and meaning.

Then from Northumberland we have conclusive evidence that the tenants who paid cornage to the king collected it previously from their villis, and that they continued to do so even when they were granted exemption from cornage payments to the king. In the year 1205 King John granted to the monks of Tynemouth exemption from the cornage which their land owed.² The sum is not stated, but we learn from the *Red Book* that it amounted to 11. 4s.³ Now in a rental of the priory of Tynemouth, compiled about 1378, the amount of cornage collected by the monks from the villis that held of them is recorded,⁴ and a comparison of these figures shows that the monks were taking from their tenants a larger sum than they owed to the king before the exemption. The main point, however, is that the monks who owed cornage to the king as his tenants were collecting it from the villis, their tenants. In the *Red Book of the Exchequer* there is a list of the cornage payments which the crown derived from Northumberland, compiled in A. D. 1264-1265.⁵ This enumerates twenty-two baronies rendering sums varying from eight pence to sixty shillings. That the charge was levied on cer-

¹ *The Priory of Hexham* (edited by J. Raine, Surtees Society No. 44), I., appendix, ix, xiii; *Newminster Chartulary* (edited by J. T. Fowler, Surtees Society No. 66), 268-269.

² *Rotuli Litterarum Clausarum*, edited by T. D. Hardy (Record Commission, 1833), 6 John, Memb. 5, I. 25: also printed in Thomas Tanner, *Notitia Monastica* (Cambridge, 1787), 391, Northumberland, No. XXVII.

³ *Red Book of the Exchequer*, edited by Hall, Rolls Series, II. 713-714.

⁴ *Sixth Report of the Historical MSS. Commission* (London, 1877), appendix, 224. An extract from this document, giving the names of the villis and the amounts they paid, may be found in John Brand, *History and Antiquities of Newcastle-upon-Tyne* (London, 1789), II. 79.

⁵ *Red Book of the Exchequer*, II. 713-714.

tain vills in every barony, not on the barony as a whole, may be inferred partly from the variation in amount, partly from the fact that the list contains also the names of seven vills paying cornage individually. Early in the reign of Edward I. the institution which we are studying came under the notice of the king's judges, who turned to local juries for fuller information, and the results reached in this fashion were indeed surprising.¹ One point is clear: nobody knew what cornage really was, and every one was desirous of getting it classified, of fitting it into the existing order of things. Then in 1279 before the king's justices the *villata* of Alnwick said that Henry de Mulesfen held the vill of Millisfen of the king in socage and rendered annually, *inter alia*, fourteen pence *pro cornagio* and that Henry de Saint Paul held the vill of Bothal on the same terms.² Here difficulties begin, for these cornage payments are represented as incidents of socage tenure; but on turning to another record, we find that both these vills were held of Henry III. in drengage.³ Suspending the question for a moment, let us take one further step in the Northumberland evidence with regard to cornage.

In 1279 the question of cornage and drengage was directly presented to the courts for solution, and from the point of view of the historian a sorry mess they made of it. Thomas de Fenwick, a minor, was heir to the manors of Fenwick, Matfen, and East Matfen. John de Herwythona asked wardship of Thomas's person and land, as his nearest relative. To this, however, Robert de Insula opposed a like demand on the score that Thomas held of him by military service. The jury said that Thomas (the heir's grandfather) had held the manors of Othniel de Insula (the defendant's father) in drengage until this was commuted between them for an annual payment of five pounds and the performance of forinsec service. Asked to specify the content of this service, they said cornage and suit of court. On being further pressed, they gave an amazing definition of cornage, and the whole matter was eventually referred for solution to the king's council.⁴ Two important points should be noticed here: the court was only trying to find some place in the feudal scheme into which this troublesome institution of cornage would fit; the jury, ignorant of what cornage might really be, recognized in it, with suit of court, the characteristic incidents of drengage tenure. Now, in the same year, as it happens, the matter was again before the courts. Robert de Vitton brought an assize of

¹ See below, pages 680-681.

² *Northumberland Assize Rolls* (edited by William Page, Surtees Society No. 88), 335.

³ *Testa de Nevill* (Record Commission, 1807), 389.

⁴ *Placitorum Abbreviatio* (Record Commission, 1811), 194b. This case is fully discussed by Professor Maitland in *English Historical Review*, V. 625 ff.

mort d'ancestor against John de Haulton with respect to Great Whittington. John answered that he claimed nothing in the land except the wardship of the heir whose father "de eo tenuit per forinsecum servitium, scilicet, per cornagium". Robert rejoined "quod nullum servitium cornagii in comitatu isto est causa custodiæ", and cited the Fenwick-Matfen case of which we have just spoken. This seems to have been the leading case for Northumberland, and the demandant recovered seisin and damages.¹

Here then are surprising developments. What was originally a villain render has become a real burden and a part accordingly of the forinsec service of certain lands by whomsoever held; now one step further is taken, and the term cornage is used to describe a form of tenure. If we look to the Cumberland records we shall find the expression *teneré per cornagium* (or *in cornagio*) as commonly used as *teneré per scutagium* in other counties, and yet we shall see reason to believe that in its origin the Cumberland cornage was not different from that of Durham or Northumberland.

We have reached here then the crux of all the modern discussion of cornage. John Hodgson Hinde, Professor Maitland, Mr. Seebohm, Mr. Round, and Mr. Crump, as we have seen, believed that cornage was in some sort a payment for the agistment of cattle. They all show good reason for the faith that is in them, but none of them meets or answers the troublesome question raised by those documents that uncompromisingly describe cornage as a mode of tenure. Canon Greenwell,² Mr. Hall,³ and the Rev. James Wilson,⁴ on the other hand, would see in cornage something more than a mere fee for the agistment of cattle, and connect it with an ancient mode of military tenure; and they too can bring documents to support their view.

For my own part, I venture to think that these groups of scholars have been looking at the two sides of the shield, that they have naturally been misled by the confusion which prevailed among the thirteenth-century judges and officials who were called upon to disentangle an intricate question involving an institution that was already obsolete. The solution of the matter may perhaps be found in an examination of the institution of drengage. This was already indicated by Professor Maitland in his article referred to above, but although he there studied both cornage and drengage, he made no attempt to bring the two into any organic or even necessary relation. Now, I do not believe that normally any such relation ex-

¹ *Northumberland Assize Rolls*, 223-224, 237.

² *Baldon Book*, glossary, s. v. cornage, appendix, lv.

³ *Red Book of the Exchequer*, II., preface, ccxxxvi-ccl.

⁴ *Victoria History of Cumberland*, I. 295-335.

isted, but that, to anticipate in a phrase the results of the more detailed examination that is to follow, two ancient and already obsolescent institutions, crushed together under the weight of the feudal superstructure, ended in the thirteenth century by amalgamating.

The tenure known as drengage does not here require so minute an examination as the subject of cornage, partly because it is in itself less intricate and has already been the subject of pretty full treatment at Professor Maitland's hands,¹ and partly because our main purpose is merely to illustrate the possible connection between the two institutions.

This tenure, the peculiarity of which, in the feudal age, was to show attributes at once of knight-service, serjeanty, and villain-tenure, was indeed "older than the lawyer's classifications, older than the Norman Conquest".² Professor Maitland has dwelt at length on the striking similarity between Bishop Oswald's riding-men and the drengs of the twelfth century,³ and has collected much evidence for the post-conquest drengs.⁴ The term dreng seems to have been used before the Conquest to describe a fighting man or warrior,⁵ but what relation it may have borne to the familiar term thegn does not appear. Hinde thought that the two were the same.⁶ Spelman, followed by the editors of Du Cange, suggested a Danish origin, which seems the more probable, as there is a cognate Danish word with an appropriate sense, and as the earliest example of the Anglo-Saxon usage given in Toller-Bosworth is from the year 991.⁷ The main point, however, is that the Anglo-Saxon dreng was by no means a base or agricultural tenant, but a person of condition, and this is illustrated by a story preserved in Simeon of Durham's *Historia Regum*. This is an account of the translation of the body of Bishop Alchmund of Hexham in the year 1032. The event was naturally one of local importance, and it is to be observed that the chief figure in the transaction, the director of the affair, since he was the object of no less than two visions, is described as "a certain dreng (quidam Dregmo)". Simeon lets us see him as a personage in the community "eum omnes vicini sui in magno honore habebant".⁸

¹ *English Historical Review*, V. 625 ff.; *History of English Law*, first edition (1895), I. 258, 356, note; *Domesday Book and Beyond*, 308-309.

² *History of English Law*, loc. cit.

³ *Domesday Book and Beyond*, 304-309.

⁴ *English Historical Review*, V. 625 ff.

⁵ Toller-Bosworth, *Anglo-Saxon Dictionary* (Oxford, 1882), s. v. Dreng, citing *Byrhtnoth's Death* (A. D. 991) and, for later usage, *Layamon's Brut* (A. D. 1200-1204).

⁶ Hodgson, *Northumberland*, I., Part I., 253 ff.

⁷ Henry Spelman, *Glossarium Archæologicum* (London, 1664), s. v. Drenches; C. D. Du Cange, *Glossarium* (7 vols., Paris, 1840-1850), s. v. Drench.

⁸ *Symeonis Monachi Opera* (edited by Thomas Arnold, Rolls Series, 1882-1885), II. 47-50. See the editor's note *in loc.*

The drengs of *Domesday Book* have been sufficiently described by Professor Maitland in the essay already cited. But the Durham records illustrate the survival of this class in a region not included in the Great Survey. An English charter of Bishop Ranulf Flambard (A. D. 1099-1128) is addressed to all his thegns and drengs of Islandshire and Norhamshire.¹ Then there is a curious document which, although it has reached us by devious ways and in its present form is certainly post-conquest, may still be cautiously admitted as casting some light on the subject in hand. This is a memorandum that stood at the head of a Durham gospel book that has now perished, recording the "consuetudo et lex sancti patris Cuthberti . . . antiquitus instituta". Before the solemn celebration of the feast of St. Cuthbert in September "omnes Barones, scilicet Teines et Dreinges, alique probi homines, sub Sancto prædicto terram tenentes" assembled at Durham to renew and confirm the peace of St. Cuthbert.² The point need not be further labored; it is clear enough that up to and at the time of the Conquest the drengs were persons of social consequence.

There is an odd story preserved by Spelman which, although as it stands it can have no value as evidence, yet seems to contain the root of the matter, the fact, namely, that the post-conquest drengs were the descendants of those Englishmen who for one reason or another were not dispossessed by William, but transmitted their lands to their sons on the terms on which they had received them from their fathers. To what extent, if to any, these men were touched by the great homage of 1085 cannot be determined. Spelman drew the tale from a manuscript that came to him from the Sharnburn family in Norfolk, and he seems to have had some misgivings about it himself; "si mihi met ipse non imponam" are his words. A cer-

¹ *Feodarium*, 98, note; also printed in Surtees, *Durham*, I., appendix, ccxv, No. 1.

² *Historia Dunelmensis Scriptores Tres* (edited by J. Raine, Surtees Society No. 9), appendix, cccxxx, No. cccxxxii. The gospel book containing this entry is described as an offering of King Athelstane to St. Cuthbert, and was certainly earlier than the Norman Conquest. It passed from Durham into the Cottonian collection and was destroyed, or nearly so, in the fire of Ashburnham House in 1731. See the report of the commissioners appointed to examine the Cottonian manuscripts after the fire, in *Reports from Committees of the House of Commons* (reprinted, London, 1803), Miscellaneous, 1715-1735, I. 471. The manuscript in question was classed as Otho B. IX. The entry cited in the text had been copied by John Rowell into the register of the dean and chapter of Durham, and in 1715 this copy was collated with the original by Mickleton, the Durham antiquary; see Canon Raine's note in *Scriptores Tres*, loc. cit. This is not the place to enter into the *Quellenkritik* of this curious document, but it may be remarked that, whatever the date of the form (and it is manifestly post-conquest), the substance cannot be older than A. D. 991, the year of the translation of the body of St. Cuthbert, the event commemorated by the September feast; see *Acta Sanctorum Bollandiana* (reprinted, Paris, 61 volumes, 1863-1875), Septembris Tomus Secundus, 2; Martii Tomus Tertius, 126.

tain Edwin, with other Norfolk Englishmen who had been dispossessed, represented to the Conqueror that they had never opposed him at any time or in any fashion, and asked to be reinstated. On this William caused the matter to be searched out through all England, and when it appeared that Edwin and his friends had spoken truth, caused them and such others as were in like case to be reinstated, and appointed that ever after they should be called drengs.¹

Now from Cumberland and Westmoreland we get evidence suggesting a pretty considerable survival of pre-conquest tenures beneath the feudal forms which the Normans imposed on those regions. It has been generally assumed that most of the feudal tenures in Cumberland were established by Henry I., but a recently-discovered document makes this very doubtful. This is an English letter of Gospatric son of Maldred, which shows him in possession of Allerdale between 1072 and the conquest of Cumberland by William in 1092.² Gospatric was succeeded by his son Waldeve, but the Great Inquest of 1212 reports that Allerdale was granted to Waldeve by Henry I. to be held of the king by the service rendering annually 15l. 13s. 4d. for cornage.³ The tenure of Allerdale therefore was pre-conquest, and further we learn from the document just cited that Gospatric had drengs holding of him, for in the opening clause he greets all his dependents, "free and dreng", and it is scarcely probable that the tenure of these dependents was in any wise altered by the establishment of a new relation between their lord and the king. The same generalization will apply to Westmoreland, where the general feudalization seems to have come even later. At the beginning of the thirteenth century King John granted to Robert Vipont the baronies of Appleby and Burgh with the shrievalty (*ballivatum*) and profits of the whole county and the services of all tenants who were not holding of the king in chief, all to be held at the service of four knights.⁴ All troublesome old tenures were thus at one stroke decapitalized, as it were, brought bodily into the feudal scheme without any displacement of the tenants or any essential alteration of their tenure. Thus the Sharnburn story

¹ Spelman, *Glossarium*, s. v. Drenches; Du Cange, *Glossarium*, s. v. Drench. The manuscript in question, written in a sixteenth-century hand, seems now to be in the Ashmolean collection; its spuriousness has long been recognized. See *History of Norfolk* (10 vols., Norwich, 1781 ff.), s. v. Smithdon, IX. 80-82; Francis Blomefield, *Norfolk* (11 vols., London, 1805-1810), X. 350-353; David Hume, *History of England* (edition Oxford, 1826), note H, I. 425; Joseph Nicolson and Richard Burn, *Westmorland and Cumberland* (2 vols., London, 1777), I. 22.

² "An English Letter of Gospatric", edited by James Wilson, *Scottish Historical Review*, October, 1903, 62-69.

³ *Testa de Nevill*, 379 b.

⁴ This charter is printed in *extenso* in Nicolson and Burn, *Westmorland and Cumberland*, I. 267-268.

represents, in a popular and even dramatic form, what actually took place quietly and slowly. Returning to the Durham evidence, we find that in 1130 the keeper of the temporalities accounted for payments made by thegns and drengs between Tyne and Tees.¹

Boldon Book discloses the details of drengage in the twelfth century. The burdens of the tenure at this time may be arranged in three classes, namely, personal services, money payments, and occasional obligations.² Under the first of these, week-work and boon-days such as the villains gave were practically universal,³ but these are commonly rendered by the dreng's men or his "whole household except the housewife".⁴ Carting of some kind, commonly of wine, was also very general.⁵ Then there was special work on mills, fish-ponds, and the like.⁶ But the characteristic services of the dreng were taking part in the bishop's hunt, the *magna casa*⁷ (this included the provision of a horse and a dog, which had to be cared for throughout the year), and carrying the bishop's messages; "et vadit in legationibus" is a phrase which occurs again and again.⁸ In many cases the dreng is required to perform *utware* (probably a survival of the ancient obligation of the fyrd) when it is appointed in the bishopric.⁹ Finally under this head, the dreng owed suit at the bishop's court.¹⁰ Under the second head, money payments, two classes appear, one the render of a fixed sum the purpose of which is not specified,¹¹ and the other the render of *auxilia*.¹² Finally, under the third head, tenure of this sort was subject to a group of very interesting occasional obligations. The first of these is wardship. We have seen it stated in terms that land held in cornage tenure in Northumberland was not subject to wardship, but the generalization was restricted to Northumberland, "nullum servitium cornagii in comitatu isto est causa custodiæ", and the point is made quite clear by an entry in *Boldon Book*. Four bovates of land which Elstanus *drengus* had held in West Auckland are in the bishop's hand "donec filius Elstani sit adultus". The bishop has

¹ *Rot. Pip. 31 Hen. I.*, in *Boldon Book*, appendix, ii.

² *E. g.*, *Boldon Book*, 17, 18, 19-20, 36.

³ *Ibid.*, 18; "tota familia domus, excepta husewyva".

⁴ *Ibid.*, 37.

⁵ *Ibid.*, 38.

⁶ *Ibid.*, 36-38. This occurs so frequently in *Boldon Book* that Mr. Seebohm was led to describe drengage as the hunting tenure, *Village Community*, 71.

⁷ *Boldon Book*, 18-20, 27-38.

⁸ *Ibid.*, 17; *Feodarium*, notes on 129, 132-133, 141; *Newminster Chartulary*, index, s. v. *Utware*. Professor Maitland has discussed the term in *English Historical Review*, V. 625 ff.

⁹ *Boldon Book*, 36-38.

¹⁰ *Ibid.*, 17, 19-20.

¹¹ *Feodarium*, 114, note; cf. *Testa de Nevill*, 752.

given Elstan's wife "xii. acras quietas ad pueros suos alendos". The rest of the land pays thirteen shillings and renders the services which Elstan used to render.¹ This obligation is not necessarily post-conquest; instances of it, it will be remembered, have been discerned in the tenth century.² Then there was the *merchet*,³ heriot,⁴ and *metred* or *metriz*. The nature of the first two of these is sufficiently well understood. As for the last, the term must be connected, I think, with the *vacca de metride*, the milch cow which the cornage vills were required to render annually. In the Durham evidence these obligations do not occur in connection with the term drengage, but the nature of the tenure is unmistakable. Take the charter which we have already considered in another relation, by which Prior Laurence (A. D. 1149-1154) conveyed to a certain Roger the land of Pache in Monkton. Roger was to render thirty-two pence annually, two shillings for cornage, for "metreth" "as much as belongs to the land", he was to do certain days of plowing and harrowing, in harvest-time he was to reap four days with two men, for "heriet" he was to pay six oras,⁵ for "merchet" six oras, and he was to acquit the land of as much "utware" as belonged to it.⁶

These cases in Durham are matched by Northumbrian evidence from the next century. In the returns made to the king's demand for an aid in 1235, fourteen and a half vills are recorded as held of the king in chief in drengage, and the incidents of this tenure are also set down. Thus, Thomas de Bodenhale holds Bothal of the king in chief in drengage; he renders annually twenty shillings and truncage at Bamborough Castle, he is tallaged with the king's demesne, and owes fourteen pence cornage, sixteen shillings *merchet*, sixteen shillings heriot. For service there is plowing and harrowing with eight men. Then there are certain miscellaneous payments, some of which have a feudal character, forfeiture and relief, pannage and suit at the king's mill. The tenure of Henry de Millisfen, which follows, is equally explicit, but it shows no further details except the incident of carting grain.⁷

¹ *Bolton Book*, 26; cf. *Registrum Palatinum Dunelmense* (edited by T. D. Hardy, Rolls Series, 1873-1878), III. 62.

² Maitland, *Domesday Book and Beyond*, 310.

³ Pollock and Maitland, *History of English Law* (first edition), I. 354-356; *Year Book*, 15 Edward III. (edited by L. O. Pike, Rolls Series, 1891), introduction, xv-xliii.

⁴ Pollock and Maitland, *op. cit.*, I. 293-295, 297-298.

⁵ The use of this term suggests an ancient and Scandinavian origin; cf. Seebohm, *Tribal Custom in Anglo-Saxon Law* (New York, 1902), 234-237.

⁶ *Feodarium*, 114, note; cf. also notes to 27, 40, 42, 62, 64, 66, 68, 70. For the survival of heriot see the case of a tenant's compounding for his predecessor's best beast in 1368, in *Durham Halmote Rolls*, I. 75.

⁷ *Testa de Nevill*, 389.

The amount of land held on these terms, the size of a normal drengage tenement, is another perplexing point. From an entry in *Boldon Book*,¹ to the effect that Robert Fitz Meldred held one carucate at Whessoe at the service of one-fourth part of a drengage, one is tempted to generalize that the normal drengage contained four carucates. But the mischance of those who have attempted to determine the content of the knight's fee warns one, and on turning to another part of the same record we read that Elstan the dreng held four bovates at West Auckland.² In truth there was no normal drengage holding; on the one hand we may read how at Escombe Elzibrid held one-half a bovat in drengage and paid nine pence cornage,³ and on the other how William holds Oxenhall and does the service of the fourth part of a drengage.⁴ Or, better still, the evidence of a later record which states that Ralf de Binchester holds Binchester and Hunwick "per cartam Domini episcopi per servitium forinsecum, quondam tenentur in dryngagio per librum de Boldon".⁵ A drengage tenement, then, might be an allotment of land in a vill or the whole vill itself.

From this evidence we have been able to form a consistent notion of the obligations and incidents of drengage tenure. From the feudal point of view it must, indeed, have been perplexing enough, showing, as it did, attributes of military, socage, and unfree tenure. If we step backward, however, into a remoter age, the relation becomes natural and consistent.

As Professor Maitland has pointed out, this kind of relation existed and was understood in the pre-conquest period. Tidings of the same sort of thing come to us from Frankland. In the eighth and ninth centuries freemen were holding beneficia for which they performed not only the riding-service which Bishop Oswald required, but agricultural labor as well, carting, mowing, and the like, with their men, and rendered money payments. These holdings, moreover, were sometimes an entire vill, sometimes an allotment of land in a vill, but in the latter case the tenant performed his services independently of the dependent community, not in coöperation with it, although his land in the open field might be intermixed with theirs.⁶ I do not, of course, intend to identify pre-conquest dreng-

¹ *Boldon Book*, 20.

² *Ibid.*, 26.

³ *Ibid.*, 25.

⁴ *Ibid.*, 17; cf. *ibid.*, 36, 42, and *Feodarium*, 140, note.

⁵ *Hatfield's Survey*, 34; cf. the case of Whitworth, which Thomas de Acley was holding at the quarter of a knight's fee by the charter of Bishop Pudsey, who had exchanged Thomas's drengage for military service, *Boldon Book*, 27, and appendix, xliii.

⁶ See an instructive presentation of this matter in G. Seeliger, *Die soziale und politische Bedeutung der Grundherrschaft im früheren Mittelalter* (Leipzig, 1903), 27-44.

age with the Frankish *beneficium*, but merely to suggest that in the eighth, ninth, and tenth centuries relations of a strikingly similar nature existed between the owners and occupiers of land on the continent and in England.

We may now ask ourselves, What was the relation between cornage and drengage? Were not the two terms confused, and did they not in the thirteenth century come to be used interchangeably without any very clear understanding of either of them? We have seen that some such confusion existed in the thirteenth century. The Great Whittington case, where there was tenure *per cornagium*, was decided on the precedent of the Matfen-Fenwick case. Now the tenure of these manors, as we have seen, was converted drengage, retaining the forinsec service, which consisted of cornage and suit of court. The alternative phrase used to describe the tenure of Great Whittington was forinsec service. The natural inference is that Great Whittington was a converted drengage, still charged with forinsec service, *i. e.* cornage dues and probably suit of court, and that for want of a more accurate term men had come to describe this odd relation as tenure *per cornagium*.

But there is other evidence pointing in the same direction. It has been noted that the list of Northumbrian cornages in the *Red Book* enumerates twenty-two baronies and seven villis, recording the amount of cornage paid by each. Now if we turn to the pipe-roll for 3 Henry II.,¹ we shall find a list of drengage tenements at that time in the king's hand which corresponds point for point with the cornage-paying villis of the *Red Book*. The villis that were held in drengage in Henry II.'s reign are chargeable with cornage in the reign of his grandson. In regard to two of the villis included in this list we have some further information. Mousen (Millisfen) and Bothal, as we have seen, were officially described in the middle of the thirteenth century as being held of the king in socage and paying cornage and also as being held of the king in drengage with all the incidents of normal drengage tenure and the obligation of cornage. Moreover all the incidents of drengage are enumerated in the presentation that describes the tenure as socage.

Now in examining the *Boldon Book* evidence with regard to cornage we met with a difficulty in the shape of cornage-paying freemen who held the whole or part of certain villis. This we endeavored to surmount by the suggestion that these tenants were simply placed between the bishop and the cornage-paying land from Waitz, Roth, and Brunner in their treatment of the *beneficium* do not develop the aspect of the question which bears on our subject and which Professor Seeliger has well emphasized.

¹ Hodgson, *Northumberland*, I. 257.

which they collected the due and made their render to the bishop. Although the case of the prior of Tynemouth, who collected cornage from his villis and rendered a proportion of the sum to the king, warns us that this arrangement does not involve any particular form of tenure, there is still room for the inference that in the cases of Matfen, Great Whittington, Fenwick, Mousen, and Bothal just such an arrangement as this had been made. The process would then be on this wise: A dreng receives a grant of a vill which owes cornage. To the regular incidents of his drengage, then, he will be required to add the duty of collecting the cornage and making a render to the king. Whether or not in theory he must render the full amount that he has collected does not appear. In practice, as we may infer from the case of the prior of Tynemouth, he would probably retain a proportion of it. Then with altered economic and social conditions drengage became meaningless, the dreng was classed with other freemen in spite of the unfree obligations for which he was paying a money composition, and his tenure was regarded as an odd or troublesome form of socage or serjeanty. Or, in many cases, the whole of the drengage disappeared by mutual consent. But where the dreng had owed cornage, that, being a real burden, remained as part of the forinsec service, and could easily be regarded by an age incurious about the history of institutions as the determining feature of an unusual and troublesome tenure. And so men would come to describe a converted drengage as a tenure *per cornagium*.

It need scarcely be remarked that there was no necessary connection between drengage and cornage. For it seems that any land might be held in drengage, but in Durham certainly cornage was levied only on villis having pasture. It should be remembered that this adventitious connection was taking place under the pressure of the feudal superstructure. An example will illustrate this. The serjeanty of Matfen was granted by King John in 1200 to his servant Sawalus and in 1212 to Philip de Ulecote.¹ In 1250 Othniel de Insula held Fenwick and Matfen of Hugh de Bolebec at the service of nine knights and a half.² But Henry de Fenwick held the manors of Fenwick and Matfen of Othniel in drengage, which Othniel by his charter afterward remitted against an annual payment of one hundred shillings and the discharge of forinsec service.³

In Northumberland the normalizing influence of a strong central government seems to have swept away drengage and cornage by the

¹ *Rotuli Chartarum* (edited by T. D. Hardy, Record Commission, 1837), I, 76, 190.

² See the *inquest post mortem* in respect to Othniel's land, printed *in extenso* in Hodgson, *Northumberland*, I., Part II., 168.

³ *Placitorum Abbreviatio*, 194b.

fourteenth century. In Durham, however, with its virtual home rule, they were not forgotten, although they had become, in effect, mere rent charges on land held in various ways.

It now remains to deal with the evidence from Cumberland and Westmoreland, for it is upon these documents that the writers who regard cornage as a tenure base their conclusions. The material for this discussion has, as far as Cumberland is concerned, been brought together by Mr. Wilson after a careful search through inedited as well as printed documents, and appears in his chapter in the first volume on Cumberland in the *Victoria County Histories*. It will suffice therefore to give a summary or provisional statement of the evidence instead of the more minute exposition that was necessary in the case of Durham and Northumberland.

In the twelfth century cornage occurs frequently in Cumberland, and an important document from the middle of the century illustrates the nature of the institution. William, earl of Albemarle, granted to the monks of St. Bees "vi. vaccas in perpetuum elemosinam reddendas anno omni quo meum Noutegeld debuerit fieri [in Coupland]".¹ Then in the pipe-roll of 1130 the sum of 85l. 8s. 8d. is accounted for, for the *noutegeld* of Cumberland, and when the regular series begins it becomes apparent that this amount scarcely varied from year to year.² If we read these documents in the light of the evidence we have already examined, particularly if we compare the St. Bees charter with the Burton documents quoted above, we may fairly infer that at this period the cornage of Cumberland did not differ from that of Durham and Northumberland, that it was a render in kind from the vills which turned cattle upon the lord's pasture, and a render which had already become a fixed burden collected by the lords (in kind still, as it would seem) and paid to the king in the form of a money composition.³ The inference seems authorized, although the later evidence suggests perhaps that cornage was more extensively paid here than in Durham, where, as we were able to show from *Boldon Book*, it was not by any means collected from all the vills of the bishopric.

Henry I. granted to Hildred of Carlisle "terram que fuit Gamel filii Bern et terram illam que fuit Glassam filii Brictrici Drengnorum meorum reddendo inde mihi per annum de servicio gablum animalium sicut alii liberi homines . . . reddunt qui de me tenent in

¹ The document is printed in *extenso* in *Victoria History of Cumberland* (hereafter cited *Cumberland, V. C. H.*), I. 316, note.

² *Ibid.*, 314-315.

³ There is a suggestion of a survival of a like render in kind as late as 1231, in a document printed in the *Guisbrough Chartulary* (edited by W. Brown, Surtees Society Nos. 86 and 89), II. 320.

capite in Cumberlanda. Et facient inde aliud servitium tale quale alii liberi homines mihi de terris suis faciunt."¹ Hildred receives the land of a dreng to be held of the king in chief; he is obliged to pay cornage and to perform other services. Here it is stated in terms that all the tenants in chief paid cornage to the king, but it by no means follows that all the land held in chief, i. e. all of the county, paid cornage to the king's tenants. In view of what we know from Durham, it is quite permissible to suppose that every tenant in chief was required to collect and turn over to the king the cornage from the vill in his holding that owed that obligation. The matter then becomes an arrangement of convenience for the financial administration of the county. It should be remembered also that it was not until Henry I.'s time that Cumberland was effectively incorporated into the kingdom, and such a measure would fit well with the character and methods of that king. Then there is evidence going to show specifically that this burden was already attached to the soil and reckoned as part of the forinsec service, the obligation which the land owed the king regardless of what tenurial relations might have been established in connection with it. About 1162 Gospatric son of Orm granted certain lands to the monks of Holmcultram in such wise "quod faciemus pro Monachis omne forense et terrenum servitium, quodcumque ad Dominum Regem pertinet, scilicet, de Noutegeld et Endemot",² etc. So far, then, there is no difficulty; in Cumberland, as in Durham and Northumberland, cornage had become a real burden, a part of the forinsec service. It remains to see how it developed.

If we turn to the thirteenth-century evidence, we shall hear a great deal of cornage tenure. In the *Red Book* there is a list (A. D. 1210-1212) of those "qui tenent per servitium militare et per servitium cornagii in hoc comitatu".³ But the entries here confirm our hypothesis with regard to Cumberland cornages in the twelfth century. "Nicholaus de Stuteville, lvi s. de cornagio de ii villis in dominico et iii in homagiis", and so on down the list; obviously, the tenants in chief are collecting cornage from their villis, whether in demesne or service, and rendering part or all of it to the king.⁴

Two points, however, are to be noticed. First, these tenants in chief are not holding by military service. The distinction is already made in the rubric quoted above, and the first three entries on the

¹ *Placitorum Abbreviatio*, 67a.

² *Cumberland, V. C. H.*, I. 321. The charter is also printed in Sir William Dugdale, *Monasticon Anglicanum* (6 vols., London, 1846), V. 609.

³ *Red Book*, II. 493.

⁴ In 1201 the men of Penred fined with the king that they might hold their vill at the ancient farm plus the render of cornage and one hundred shillings. *Rot. Pip.* 3 John, in *Cumberland, V. C. H.*, I. 388.

list are of men holding by two, one, and one-half fees respectively, and not paying cornage. The first of these is Robert de Vallibus, who has sixteen vills, ten in service and six in demesne, for which he owes the king the service of two knights (*ii feoda*); and we know that in 1158 Henry II. had granted the barony of Gillesland to Hubert de Vallibus as a fee of two knights "*quietas ab omni Neutegeldo*".¹ Second, there is a note appended to the list in the *Red Book* to the effect that "*omnes supradicti tenentes per cornagium ibunt ad præceptum Regis in exercitu Scocyæ; in eundo, in antegarda; et in redeundo, in retrogarda*".² The same information, of course, is recorded in the *Testa de Nevill*.³ Now, it must be borne in mind that all this was elicited by the Great Inquest of 14 John undertaken to increase the revenues by reviving "rights of the Crown alleged to have lapsed".⁴ The royal officers were intent rather on classifying tenures and determining their obligations than on defining them. Then from the law-courts we begin to hear of tenure in cornage. There is in 1238 the case of Odoard of Wigton, who was a tenant by cornage; he was subject to wardship and he held his barony as a grand serjeanty at the service of attending the king's army through Cumberland.⁵ Then in 1223 William de Fortibus, earl of Albemarle, tried to defeat the king's right of wardship on the ground that he held of the crown in cornage, not military service, but did not succeed.⁶

Now all this does not differ essentially from the conditions that we have examined in Northumberland. Here is a form of tenure that will not fit into any of the existing categories. One of its incidents is cornage. It is important to the crown for financial reasons that the obligations of this tenure should be clearly understood; it is important to the court that, rightly or wrongly, the tenure should be defined, in order that they may know how to deal with it. The king and the judge alike require a name for the tenure, and what more natural than that they should call it after its most unusual and striking incident, particularly when the original significance of cornage had been forgotten? On this hypothesis *tenere per cornagium* is to hold by that peculiar tenure which, while partaking of the nature of military service, serjeanty, and socage, is still none of these, but which has this feature that all the others lack, the payment of cornage.

¹ See the charter in *ibid.*, 320.

² *Red Book*, II., 494.

³ *Testa de Nevill*, 379-380.

⁴ Round, *Commune of London*, 274.

⁵ *Bracton's Note Book*, ed. Maitland, No. 1270.

⁶ Joseph Bain, *Calendar of Documents Relating to Scotland* (4 vols., Edinburgh 1881-1888), I. No. 864.

In the case of Northumberland we saw reason to suppose that the tenure there involved was really drengage or a form of drengage which, having lost its original significance and name, had got itself confused with cornage and taken its name. There is not material to warrant such a hypothesis in the case of Cumberland, and the political history of the region would make one expect a somewhat different development from that which occurred in Northumberland, for it looks as though there had been a deliberate organization of the country by Henry I., a kind of artificial arrangement of tenures. The main point, however, is, I think, clear enough: cornage only lent its name to tenure of which it was an incident. There is enough evidence from Westmoreland to render the same conclusion very probable for that county as well. In the twelfth century, indeed, Westmoreland had scarcely yet attained the integrity of a county, and was commonly treated as an appendage of Cumberland.¹

The evidence of the pipe-rolls is interesting in this connection. We find that the sheriff was accounting in 1178 for a fixed sum for cornage "lvi xixs iiid de Noutegeld quolibet anno reddendo".² It is possible that this was a composition, or that it was part of the *firma comitatus*. From this time until the end of the reign cornage does not reappear in the pipe-rolls for Westmoreland. For five years there is no account (26-28, 33-34 Henry II.), and in the accounts of the other four cornage is not mentioned, and this is true of the first year of Richard I. In the second year of that king, however, there was a new assessment of the ferm by a jury of twelve knights, and this ferm with *noutegeld* was accounted for at the rate of 117l. 6s. per annum. This rate continued until the seventh year, when we get an entry which throws light on the manner in which the cornage was raised: "Milites et libere tenentes in Westmoreland qui debent cornagium reddunt compotum de xx s pro habendo respectu [sic] de auxilio quod exigitur ab eis", etc. Taken in connection with what has gone before, this suggests irresistibly that the free tenants were raising cornage from their tenants. But this is not all. In the first year of Richard I., Gilbert son of Roger son of Reinfred obtained a charter from the king granting him "quietantiam, per totam terram suam de Westmerland et de Kendale, de neutegeld, scilicet de 14l. 16s. 3d., quos ipse Gilbertus reddere solebat per annum pro neutegeld de præfata terra." To this was added immunity from shires, wapentakes, tithings, and aids

¹ See the authorities cited by Ramsay, *Foundations of England* (London, 1898), II. 346-347, and *Angevin Empire*, 12.

² The entries concerning Westmoreland from 23 Henry II. to 13 John are printed in the collection of *Pipe Rolls for the Counties of Cumberland, Westmorland, and Durham* published by the Society of Antiquaries of Newcastle-upon-Tyne in 1847.

of sheriffs and other officers. In return Gilbert owed the king the service of one knight "pro prædicto neutegeldo".¹ In 1200 Gilbert paid King John one hundred pounds for reissuing and confirming this same charter. Now the transaction here recorded is in substance the transmutation of some unspecified form of free tenure into tenure by knight-service. That cornage was only an incident of the earlier form of tenure is evident from the fact that the beneficiary is relieved from other obligations as well.² In what manner cornage might be an incident of a free tenure has been shown in dealing with the Northumbrian drengages.

Here, however, an obstacle presents itself which I must confess I am unable to surmount. In Northumberland, as I argued, cornage attached itself and gave its name to a modified form of drengage, but that was not the case in Cumberland and Westmoreland. The tenure to which cornage gave its name, the tenure of which one of the incidents was to bear the rear and van of the army against Scotland, was not drengage even in a modified form; for when the knights and free tenants who owed cornage were required to give an aid, the drengs were at the same time tallaged, and throughout Cumberland and Westmoreland documents the drengs seem to have been kept separate from those who were later called cornage tenants. Grave as this difficulty is, it yet does not, as I think, affect the main contention, namely, that cornage was never a form of tenure, but an incident which gave its name to a tenure. Its origin in Cumberland is clear enough, and in view of the relation of Cumberland and Westmoreland a like origin in Westmoreland may safely be assumed. Finally it must be shown that here, as in the other northern counties, the twelfth-century documents which still knew cornage as a render in kind, a seigniorial due, are silent about cornage tenure. This contrast is illustrated for Westmoreland by the pipe-rolls which we have been examining.

In the Westmoreland pipe-roll for the third year of John there is no mention of cornage; perhaps it had been incorporated in the ferm, but there is an entry of considerable importance: "Adam de Kierkebei debet xx s ne transfretet qui tenet quatuor acras terræ in Kierkebi in cornagio". This shows the appearance early in the thirteenth century of tenure in cornage. Then the next year Gilbert again fined with the king in forty pounds for having full seisin of his brother William's land, of which he was seised on the day of his death and which he held of the king in cornage.

¹ Printed *in extenso* in Nicolson and Burn, *History of Westmorland and Cumberland*, I. 31-32; *Rotuli Chartarum*, I. 50.

² This appears more clearly from a comparison of the texts of the two charters.

Dark and obscure as this still leaves the subject, one point may be regarded as definitely won: cornage existed in Westmoreland before men spoke or thought of tenure by cornage. Finally it should be noticed that the *Testa de Nevill*, which has so much to say about cornage in Cumberland, is silent on the subject in regard to Westmoreland. The collectors account for certain sums raised on the baronies of Kendal and Westmoreland and then for similar sums on the tenants of the barony of Kendal.¹

The present study may tend toward putting the subject of cornage back into darkness and obscurity. But the writer hopes that it has helped to rescue or to reestablish one position, namely, that cornage by its origin and nature was a seigniorial due and not in any sense a mode of tenure. The ancient and obscure tenures which came to be described as cornage need further and far better study than it has been possible to give them here.

GAILLARD THOMAS LAPSLEY.

¹ *Testa de Nevill*, 412.

REGINALD POLE AND THOMAS CROMWELL:
AN EXAMINATION OF THE APOLOGIA AD CAROLUM
QUINTUM

THOMAS CROMWELL, beginning life as a merchant's clerk without money or influence, finally rose to the highest authority ever wielded by an English subject. The portraits of this remarkable man presented by historians have been most influenced by accounts of him left by two of his contemporaries. John Foxe put him into the *Book of Martyrs* as one who, having greatly served "the Gospel", died by the machinations of the enemies of truth. Reginald Pole, cardinal and archbishop of Canterbury, denounced him as a false counselor who helped the descent of a once innocent and pious king into tyranny, crime, and irreligion by flattering evil passions for his own gain.

The first of these judgments upon Cromwell became prevalent in England during the lifetime of his grandson and continued dominant for many generations. But the image of the martyr suggested by Foxe has been to a great extent replaced by the picture of an unscrupulous adventurer, loving chiefly the profits of power, the English disciple of Machiavelli, flattering the ideals of his age while he sneered at them, cruel, treacherous, and, even when he sought great ends, pursuing them by means baser than those generally used by his contemporaries. The traits of which this latter image are composed have been drawn from different sources, and the image therefore varies according to the emphasis which the writer may have chosen to lay upon this or that evil feature of the character of the earl of Essex. But about all these images of the unscrupulous adventurer type there is the same sinister atmosphere, and one who has read the account of Reginald Pole easily recognizes that the presence of that sinister atmosphere, throwing Cromwell into relief as the "arch knave" of his time, is due to its influence. This is the first record of a critical examination of this often-quoted account of Cromwell, and it gives the writer's reasons for concluding that Pole's sketch of Cromwell's character and motives is biased, improbable, and inaccurate.¹

Reginald Pole was of the blood royal, tracing descent from the

¹ To save space in the REVIEW many foot-notes to this article have been suppressed or condensed. It will be republished in full form.

duke of Clarence and from Warwick the kingmaker. He was sent to Oxford by royal bounty and at twenty-one went abroad to study with a royal pension of 100*l.*, equal in modern value to some \$5,000 or \$6,000. In addition he enjoyed the income of three ecclesiastical benefices which had been presented to him. He stayed five years abroad as a student and gained the friendship of some of the most distinguished scholars of the day. On his return to England he was one of the very few English noblemen (he had entered Magdalen College as a nobleman) who might justly be called highly educated. When Henry VIII. wanted to repudiate his wife, Pole, who had again gone abroad to study in Paris and still received his large pension as "king's scholar", was employed to collect opinions from the doctors of the university in favor of the invalidity of marriage to a brother's widow. Having successfully completed this task, which he so hated that he delegated its details to another, he returned to England by royal order in July, 1530, and shortly after was offered the archbishopric of York, rendered vacant by the death of Wolsey. Knowing that if he accepted it he must approve the repudiation of Catherine, Pole manfully refused, had a stormy interview with the king, and in 1532 obtained permission to go abroad. His pension was continued and he received another ecclesiastical benefice.

Two years after Pole left England, a demand came to him from the king that he should write his opinion on two points: Is marriage with a brother's widow permissible? Is the supremacy of the pope instituted by God? Pole's answer to these questions grew into a treatise entitled *In Defense of the Unity of the Church (Pro Ecclesiasticæ Unitatis Defensione)*. It consists of four books and expresses in places great affection for Henry and the grief Pole feels in being obliged to accuse him. The first book attacks the new royal title of supreme head of the church in England, and threatens Henry with the divine vengeance for the death of More and Fisher. The second defends the supreme authority of the pope, especially against the treatise of Sampson, which had been sent to him by the king. The third book exhorts Henry to prepare his mind to receive these arguments by laying aside his pride, and then proceeds in an ever-rising storm of invective to denounce his sins. Pole recites the facts in regard to Anne Boleyn and shows the injustice to Catherine, calls the king a robber and persecutor of the church, charges him with having wasted in senseless extravagances more taxes than his predecessors had collected in five hundred years, calls him guilty of an infamous incest, applies the strongest possible epithets to Anne Boleyn, and asks Henry if he thinks her daughter will be accepted as queen by the aristocratic families of England. He denounces

Henry for having slaughtered his nobles on slight pretenses and filled his court with wretched creatures. He calls up against him the blood of More, Fisher, and the Carthusian martyrs, saying that Nero and Domitian had not killed such men. He stigmatizes him as worse than the Tunisian pirates. In an apostrophe to Charles V. Pole begs him to defer the Turkish war in order to attack this new enemy worse than the Turk; for schism comes from the same source as paganism. Indeed this English Turkish seed has produced worse results than are to be seen among the real Turks. The real Turks tolerate the true religion, but this king defends his false religion with the sword. Therefore let the orthodox head of the Christian republic draw the sword against him. And, pointing out that the English people have before driven kings from the throne, Pole calls upon England to renew her ancient spirit, looking to the emperor for aid. Henry is a sacrilegious perjurer, who has broken his oaths and overthrown the foundations of his kingdom—justice, clemency, liberality. He has squandered her treasures on unworthy favorites and despoiled every condition of men. He has made sport of his nobility, plundered his clergy, never loved his people. He might be glad to have upon his tomb that epitaph of Sardanapalus which Aristotle said was fitter for a bull than for a man, that no room might be left for one not less true but more shameful; if, indeed, he might hope for any tomb, and not, in the words of Isaiah, be cast out from his sepulcher as a useless trunk, as a putrid corpse have no fellowship with his dead forefathers. His shame and ignominy are known to every one, and all powers sacred and secular are now leagued to cut off so pernicious a member from the body of Christendom. Whither can he flee for refuge? His riches stolen from the church will not help him. No tyrant had perished from poverty. Neither will the many adherents who now support him save him; Richard III. had been killed by his father in spite of a great army. Henry has but one refuge from unexampled dangers—penitence. And in the fourth book, asking pardon for his harsh words and “struggling with love and pity”, Pole exhorts the king to penitence; that is, to repent of his sins, return to the church, and ask for absolution, and “in the words of the prophet your iniquity will not be your ruin”.¹

Pole came to manhood at the crisis of a great conflict between two ideals for the European world. On the one hand there was the medieval ideal of Christendom as an organism with a visible head

¹ Pole's description of his own book, in *Epistolarum Reginaldi Poli S. R. E. Cardinalis et aliorum ad ipsum Collectio*, Brescia, 1744-1757, 5 volumes, I. 74. Pole's characterization of the third book is expanded here by illustrative instances drawn from the book itself. Pole says it is written “acerbe et vehementer”.

whose just sentence anticipated the sentence of the great day of judgment, made the rebel against divine commandment on whom it fell an outlaw in this world, and sent him to hell after death. On the other hand there was the forming ideal of Christendom as a series of distinct national institutions, each containing a divinely-constituted seat of authority that rightly rejected all outside interference in its own affairs, whose national church admitted no foreign authority to damn its apostate members, whose courts acknowledged no just power in any foreign tribunal to judge concerning the honor, the property, or the life of its citizens. These two ideals were to engage four generations in wars. The wars were complicated by theological opinions and religious beliefs, race hatred and class feeling, dynastic greed and personal ambition, but behind them all from the battle of Mühlberg to the peace of Westphalia there lay this central question, whether Christendom was or was not divinely constituted as an organic unity possessing somewhere, either in pope or council, or in both, a common, visible, and ultimate authority to define truth finally and judge righteousness for every nation and every man. The trumpet-call for that fight had come to Pole. Asked to say whether in the last analysis the supreme authority over England in questions involving a moral issue was at Rome or in London, taste, reason, and conscience led him to stand by the old ideal. He threw down the glove to Henry as a tyrant who had betrayed England because in withdrawing from the papal obedience he had broken the unity of Christendom, the God-given guaranty of saving truth and social order.

It is plain from Pole's letters at the time he was writing this treatise¹ that he thought himself to be doing some great service to the cause of the church. Just what service he hoped to do his cause by interpolating into his answer to Henry's questions a diatribe in a tone of such fierce invective that some of his intimate friends, ardent churchmen, advised the correction of the manuscript does not appear to a modern reader at first sight. A search through his writings makes it plain that Pole hoped, now that the passion for Anne Boleyn which had driven Henry into his impiety was cooled, to frighten him back to the path of righteousness by the threat of insurrection backed by a crusade against England.² It seems strange that Pole could have thought it so easy to frighten a Tudor, or could have imagined that the insensate pride backed by a morbid conscience that ruled Henry's character would submit to

¹ *Ibid.*, I. 427, 429, 438.

² *Ibid.*, I. 475; V. 155; also James Gairdner, *Letters and Papers, Foreign and Domestic, of the Reign of Henry VIII.*, XII., Part I., No. 429; Part II., Nos. 107, 552.

private contumely or bow to public disgrace without a furious struggle, but it is quite plain that he did cherish this hope and sent his book to Henry in manuscript with this idea.¹ There was of course danger that the book might be used in producing the sort of civil war appealing to foreign aid which afterward desolated France and Germany. And Henry's effort to destroy the manuscript strengthened Pole's resolve to keep it hanging over his head like a sword of Damocles. But in the year 1539, during his absence from Rome, it was printed without his consent by friends to whom he had confided it and "not without the command of the pope".² His writings show that at several different times in his life he contemplated publishing it. He wrote three prefaces, all printed for the first time two hundred years after his death. The first one is entitled by the editor *Apologia Reginaldi Poli ad Carolum V. Cesarem super quatuor Libris a se scriptis de Unitate Ecclesiæ*.³ The second preface is entitled *Proemium alterum ejusdem libri a Reginaldo Polo transmissi ad Regem Scotiæ*. Internal evidence shows that it was written not long after the fall of Cromwell, who was arrested June 10, 1540. The third, which breaks off abruptly, is entitled *Epistola ad Edwardum VI. Angliæ Regem de opere adversus Henricum patrem*, etc. This must have been written 1547-1553. In it Pole says he had heard that the Protestants intended to publish his treatise in defense of the unity of the church, and thought it better to do so himself. Schelhorn conjectures that he abandoned this intention on account of the death of Edward VI. and the accession of Mary.

In this third preface Pole says that he had been very unwilling to have the book circulated, but some copies had been taken without his knowledge from the places where they were stored and had come into the hands of many. The rarity of the first edition suggests the diligence of the author in preventing general circulation. The second edition was issued in 1555 by the Protestant apologist Vergerio, who said that Pole had concealed his book and given copies only to cardinals, popes, kings, bishops, princes. Pole's anxiety to prevent the general circulation of the book appears in his answer

¹ *Poli Epistola*, V. 61.

² *Epistola ad Edwardum VI.*, Section xlviii, *ibid.*, IV.

³ There are only four editions of the *Pro Ecclesiasticæ Unitatis Defensione*: (1) Rome, without date. (2) Strassburg, 1555. (3) Ingolstadt, 1587. (4) Bibliotheca Maxima Pontificia, Tome 18, 1698. Bibliographical manuals and catalogues assign the first to 1536 (*British Museum Catalogue*, 1535?; Brunel, *circa* 1536; Grässe, *vers* 1536; etc.). This assignment overlooks Pole's own account in the *Epistola ad Edwardum VI.*, cited above, which fixes the date as 1539. This date also agrees with the preface of the Strassburg edition, which says (1555), "This book has been published as I suppose about fifteen years". Schelhorn pointed out in 1737 in his *Amoenitates Historiæ Ecclesiasticæ et Literariæ*, Leipzig and Frankfort, 2 vols., 1737-1738, I., some of the reasons for assuming this date.

to the letter of Damianus a Goes (October 12, 1540),¹ who had heard of a printed copy and asked for one. Pole replies, "Up to this time I have published nothing, and how my writings have come into those hands where you say they have come I do not know. When I do publish I will satisfy your desire." Now the *Apologia* shows that at the end of 1538 or the beginning of 1539 Pole did intend to publish his book and send it to the emperor.² And in the *Proemium ad Regem Scotiæ* he says, just about the time he refused to send Damianus a Goes a copy, that he intends to send one to the king of Scotland,³ and publish it under his auspices. But, as copies of these prefaces do not seem to have been found in Spain or Scotland,⁴ it is to be assumed that Pole changed his mind.

He changed his mind so completely that in the last of these three prefaces, the letter to Edward VI., he asserted that though he had tried to force himself to yield to the arguments of his friends, he had never been willing to publish his book. The reasons for this mental struggle, which we perceive when we thus compare the contemporary record of his feelings made by his own hand with his subsequent memories, are not far to seek. Any one who will read all Pole's writings and set them against the background of the age he lived in can scarcely fail to see them.

The correspondence of Pole was printed in the middle of the eighteenth century, long after the close of the epoch of wars about religion. At that time a cardinal who fomented insurrection against a legitimate prince, or demanded war to drive him from his throne for religious causes, would have been regarded with disfavor by most orthodox churchmen and, under many popes, would have been reprovved in Rome itself. The editor therefore shows in his notes a strong desire to clear Pole from the imputation of having been a rebel, even in the sense of those enemies of the church who had condemned him for treason. The attempt is a vain one, as is admitted by Pole's best biographer, Father Zimmerman,⁵ who points out that Pole believed the English people had the right to depose a king but not a bishop or a pope. But this anxiety of his editor, writing in a later age when all rebellion was apt to be regarded as sin, marks only the ultimate triumph of a sentiment which, even in Pole's day, exercised a strong influence on human action—the senti-

¹ *Poli Epistola*, III. 37.

² *Apologia*, Section vi, "omnia tunc scripta quæ nunc edo", *ibid.*, I.

³ *Ibid.*, I. 175, "In lucem exire volo".

⁴ The *Apologia* was printed by Quirini from a manuscript found in Germany: *Præfatio ad Monumenta Preliminaria*, *ibid.*, I.

⁵ Athanasius Zimmerman, S. J., *Kardinal Pole, sein Leben und seine Schriften*, Regensburg, 1893.

ment of patriotism, leading men to support, against every interference from men speaking other tongues, the action of the national government whose language they spoke. That sentiment, though not yet entirely prevalent anywhere, was perhaps stronger in England in the middle of the sixteenth century than in any other part of the European world, with the possible exception of Spain. Pole himself had formed his opinions and made his chief friendships among Italians, where the patriotic sentiment was and remained so weak that the destinies of Italy were swayed down to our own generation by foreign force. But there are plain indications that he had conquered it in his own mind only with pain, and we may well believe his assertion that he wrote with bitter tears¹ the book that made him an exile and a public enemy to England, in obedience to a conscience which bade him stand by the highest authority, established by God at Rome. But perhaps the struggle in his own mind suggested to him the strength of the sentiment he was opposing. Therefore, while he hoped at times for insurrection backed by the sword of France, or of Spain, or of both,² he shrank from appearing before the world as a denouncer of war. That would be to draw down upon himself and the church a renewal of the old reproach, most sharply expressed in Zwingli's epigram, that cardinals were appropriately clothed in red; their robes were stained with the blood they had caused to be shed. In saying this there is no intention of charging Pole with any extraordinary craftiness unexampled among his contemporaries. Pole, devoted to the institution he loved more than anything else in the world, was not superior to the temptations to which many men on either side of that great controversy whose issue was a war for life and death yielded, the temptation to be—sometimes without being quite conscious of it—less than frank if the cause might be helped by guile. Martin Luther, in the case of the bigamous marriage of the landgrave of Hesse, was willing to consent secretly to what he would not publicly approve, and Pole gave and shared secret counsels expressing hopes and intentions which he would not avow. This conclusion is derived from many instances in Pole's writings, even stronger in the sum than in any instance. It comes perhaps to its most acute point in these particular passages.

On February 16, 1537, he wrote to the royal council of England:³
 "You say the pope is the king's enemy, to which I reply thus: I

¹ *Epistola ad Edwardum VI.*, Section xl, *Poli Epistolæ*, IV.

² This is contrary to the opinion of several authoritative writers, but the references given below prove it beyond doubt.

³ *Poli Epistolæ*, I, 185. Everything included in Pole's *Epistles* is either Latin or Italian. The passages are Englished by the writer.

dare to affirm of this pope, whose acts I see, whose talk I often hear, that I have never heard of a single act or word of his, either concerning the king or concerning those who are in his kingdom, which did not show the affection of a father, and that indeed the most indulgent father toward his son or the affection of a most loving pastor toward his flock." This solemn asseveration was written on the eve¹ of Pole's departure on a papal mission whose object, as the pope told the Spanish ambassador, who repeated it to his master, was to aid the northern insurrection in England.² Pole must of course have known of this object in order to carry it out. That he did know of it is shown positively by his letters to the pope on starting from Rome and on returning.³

Now the motives that caused Pole to deny plans for promoting insurrection of which he was an instrument would also be active in leading him after hesitation to suppress his book. For that book, as has already been said, he wrote three prefaces. The first, entitled the *Apologia*, contains the famous picture of Thomas Cromwell. In style and form it is not a preface but an oration about two and a half times as long as this article, arranged with art and most rhetorically written. Section viii. shows that it was begun after the launching of the papal bull which commanded all faithful Christians to deprive Henry of his crown, and either just before or during Pole's journey to Spain on a mission to Charles V. begun December 27, 1538. A passage about the middle of the *Apologia* shows, however, that it could not have been finished at that time; for the writer speaks of having seen "per hos dies" the book which set forth the reasons the English council gave for the attainder or execution of three members of Pole's family.⁴

That book was not ready for distribution on January 9, 1539,⁵ and what must have been one of the first copies distributed was sent to France by the French ambassador on January 16.⁶ Pole could not therefore have seen the book before he passed through south France (he was at Avignon January 22). It is not probable that he saw it then, for that supposition implies that he was writing during the rapid journey⁶ to Toledo, which he reached on February 13. It is most probable that after returning from Toledo, some time between the end of March and the end of September, 1539, he took

¹ Although unwell, he was at Verona on February 28, 1537.

² *Letters and Papers of Henry VIII.*, XII., Part I., No. 123, confirmed by *ibid.*, Nos. 463, 625, 1141.

³ *Poli Epistole*, II. cclxxiv, 46.

⁴ *An invective agens the great and detestible vice of treason wherein the secret practices and traitorous workings of them that suffered of late are disclosed*, London, 1539.

⁵ *Letters and Papers of Henry VIII.*, XIV., Part I., Nos. 37, 72.

⁶ *Ibid.*, No. 126.

up and finished the *Apologia*, which he certainly began when he was looking forward to seeing the emperor as the representative of the pope. It was written under great disappointment, for Pole had hoped that Henry would be forced back to the church by the insurrection of the North and by the invasion which, as he had served notice in the manuscript of the *Pro Unitatis Defensione*, he would invoke if the king did not yield to his prophetic denunciations of sin and exhortations to repentance.

He had now come to believe that his hopes of frightening and persuading Henry to repent and return to the church had been blocked first by the devil and second by an emissary of the devil, Thomas Cromwell. He might well have hated and attacked Cromwell bitterly on personal grounds, for Cromwell had been the chief agent in executing his brother, Lord Montague, and condemning his mother, the countess of Salisbury, for treason. But it is not to be assumed that the *Apologia* was written out of personal revenge. Its motive is a burning zeal to speak as the exponent of God's justice in denouncing the enemies of humanity and religion.¹ For Pole now saw plainly what was the undoubted fact, that this man was the chief influence in frustrating the sacred hopes with which he had sailed on his mission (1537) to aid the English rebellion in defense of the Catholic church, and on his other mission to induce the emperor to force Henry back to obedience to the vicar of Christ, which had just proved a failure. Pole, therefore, joins Cromwell to Henry as the object of invective in the name of God and the church.

Let us now consider the historic value of this document, as a chief source for gaining a true impression of the work and character of Thomas Cromwell. In the first place, it must be noted that Cromwell was a man whose character and motives Pole could have appreciated, even under circumstances the most favorable to fair judgment, only imperfectly. Two more antipathetic personages could hardly be imagined. Pole was a man of the highest aristocratic lineage. Cromwell, as Pole is careful to point out, had risen from the common people. Cromwell's intelligence was a product of the Renaissance training. Pole, though a correspondent of Erasmus and a friend of Bembo, was always too much of a theologian of the old type to be really a man of the new learning.² Cromwell expelled scholasticism from Oxford and made provision for the effective teaching of Greek.³ When Pole became the first subject

¹ That the *Apologia* was not written merely as a private letter to the emperor is shown by its whole tone and by the end of Section viii: "Necessarium si cupimus multitudini prodesse hoc prius ostendere".

² See his correspondence with Sadoleto.

³ *Letters and Papers of Henry VIII.*, IX. Nos. 312, 350.

in England, he deplored the cessation of scholastic learning and changed the lectureship in Hebrew to one on the master of the sentences.¹ Pole was a believer in the old ideal liberties of a semi-feudal commonwealth defended by the two privileged classes of nobles and clergy.² Cromwell was ruthlessly smashing the remanent power of feudalism as a dangerous anachronism, breaking the political influence of the lay lords, destroying that of the ecclesiastical hierarchy, and making England a nation centered around an absolute throne resting on the consent of the middle classes.³

Pole belonged to an era that was past. Cromwell was a man of an era to come, who had been a chief instrument in breaking that ancient divine institution for which Pole had sacrificed everything in the world. To look for a judicious estimate of the character and aims of Abraham Lincoln in a letter of Jefferson Davis written in the midst of the Civil War to gain the recognition of the Confederacy from some foreign government would be far wiser than to approach without caution the *Apologia* which Pole addressed to Charles V. and confidently rely on finding in it a fair and final judgment on Thomas Cromwell. This necessary caution is increased when we understand the purpose and feel the tone of the *Apologia*.

Pole's correspondence is not a common book, and the calendar of the *Apologia* to Charles V. printed in the *Letters and Papers of Henry VIII.* is so condensed that it gives no hint of the violent polemic tone of the writing. Nor does the description of Zimmerman enable the reader to form any idea of it. A few extracts from more characteristic⁴ passages will suggest how little the historic and how entirely the polemic spirit ruled the mind of its author when it poured from his indignant soul against the enemies of God and His church. The molder of the German tongue could never have forced his diction, virile to coarseness, into the artificial rhetoric of Pole's sixteenth-century Ciceronian, but not Martin Luther himself

¹ *Poli Epistola*, V. 47, 84.

² Thomas Starkey, Dialogue between Pole and Lupset, in *England in the Reign of King Henry VIII.*, edited by J. M. Cowper for The Early English Text Society, London, 1871. This is probably in accord with the general drift of Pole's views, and it agrees with the political allusions of his letters.

³ The Tudors had no standing army. They destroyed the power of the nobility and clergy. By repeated legislation Henry VIII. tried to make the people keep and practise arms. If his throne was not in the last analysis supported by the loyalty of the middle classes, what kept it from falling under the repeated attacks made upon it?

⁴ The *Apologia* contains passages expressing the great sorrow it gives Pole to be compelled to denounce Heary. Such expressions are usual in the most comminatory writings of popes, cardinals, or bishops. But they are not characteristic of the *Apologia*. It is more denunciatory than that third book of the *Pro Unitatis Defensione*, which Pole himself said was written "acerbe et vehementer", "aspere". Regretful expressions are not applied to Cromwell at all.

could write a polemic which in effect was more violent than the *Apologia*. The object of the treatise is to show that Henry is Antichrist, confirmed in his subjection to Satan by Cromwell, Satan's emissary, and its rhetorical climax is an appeal to the faithful for a holy war to free the world of his tyranny and impiety. Did Moses, Pole asks, have a juster reason for calling upon the Israelites to wipe out the crime of the worshipers of the golden calf even in the blood of brethren and friends than the vicar of Christ has to call to all the pious in view of the worse crimes of Henry, Who is on the Lord's side let him gird his sword on his thigh? If it was said to the tribe of Levi, Blessed are ye of the Lord, ye who have consecrated your hands in the blood of your relatives, how much greater blessing will they deserve who at the call of the vicar of God consecrate their hands in the blood of those who have inflicted such slaughter joined with ignominy on the people of God? "Can it be the chiefs of the tribes of the people of God to whom I, one of those Levites, am sent to hold up that glorious and most pious example of the tribe of Levi" will fail to listen to me?

Henry is the vicar of the devil. Henry is worse than Nero, crueller than the Turk. "Unless Christian princes and peoples unite against him, God will give them no victory over the Turk." Strengthened by God's justice to the office of a prophet, Pole announces that, if they neglect this worst enemy of God, "He will not only not roll back the Turkish charge, but will make it prevail in the day of battle."

Henry has expressed the very form of the rule of Antichrist as foretold in Scripture as it has never been expressed before. Pole would gladly give his body to be burned to save him, but the king is so lost that his conversion would be a miracle never before heard of, "that one not four days dead but long dead should be restored to life and from that hell into which he descended brought back living to the upper regions". An emissary of Satan had confirmed Henry in evil and led him to set himself up in the place of God. His real name was that of the demon by whose impulse he worked. But if we begin with that human name he received from his family before "he fell into the hands of devils and degenerated into their nature", we find it to be Cromwell. A man of no lineage, whose father, they say, earned his living in a little village by fulling cloth, he was like the man in the tombs possessed by a legion of devils—nay worse; "For if a legion of devils drove a herd of swine into the sea, how many legions, or rather how many armies of devils, must be in this Cromwell who has thrust such vast numbers of men down to hell?" No heretic, no schismatic had ever been so bad as

Cromwell. They had cast crowds of men into the sea of death. But Cromwell had gone farther and destroyed the very foundation of righteousness, committing the sin for which Lucifer was cast into the abyss, the assertion that the norm of right and wrong is man's own will. Pole says that he is not talking mystically but in a common-sense way. He can prove what the commands of Satan brought by Cromwell to the king were.

The greater part of his proof is as follows: He had had only one conversation with Cromwell,¹ and that was ten years before, soon after his own return from Italy (1528), when Cromwell was a "sycophant" of Wolsey's. Cromwell was trying, as the duke of Norfolk tried, to persuade Pole (see Pole's letter to Edward VI.) not to oppose the king. The keen man of the world doubtless told the young student of the cloisters things about kings' courts and the sort of arguments to use at them which were true enough, and which Pole did not know, or else he would not have thought it possible to frighten Henry by the *Pro Unitatis Defensione* or raise a crusade against him by the *Apologia*. More in the *Utopia* made to Raphael some excellent remarks about not being a philosopher in the councils of princes, which might easily have been distorted by an enemy who repeated them after the lapse of ten years. And we may well believe that there was more cynical worldly wisdom than piety in Cromwell's talk, without turning his advice into that systematic attack upon the very foundations of morality which Pole says it was, as his judgment of Cromwell's devilish work molded his memories of a single talk across the lapse of years. And we may easily believe that in rejecting the temptation to justify the cruel injustice of Henry's divorce Pole chose the better part, without seeing in Cromwell the diabolic personage which Pole makes him appear in this trumpet-call to sacred war against him.

Pole says that at the end of the conversation Cromwell offered to lend him a book on statecraft if he would read it. It is expressly stated that Cromwell did not mention its name or send it. But Pole "took no less care to get it by inquiring from those who knew the bent of his studies than men take to intercept the despatches of a hostile general to know his plans". It was the *Prince* of Machiavelli, and as soon as Pole began to read he saw that

¹ Pole says (*Apologia*, 132), "hoc fateor, me publice autem illum loquentum nunquam audivisse, privatim autem semel et iterum, nunquam amplius". This, as it stands, means twice. But a few lines farther down on the same page Pole contradicts it by saying "facile ex illo uno congressu et colloquio perspiebam"; and in the next line, "Talem enim futuram ille uno sermone docuit". The only explanation I can suggest is to drop the editor's comma after *iterum* and take the phrase *iterum nunquam amplius* as loose Latin for "never again". The *Apologia* needs the file in many places, as its editor Quirini remarks.

"though a man's name was on the title-page, the book was written by the finger of Satan even as the Holy Scriptures are said to be written by the finger of God". And this fact, that Cromwell once offered to lend him a book that had just appeared, and that he "afterward" found out that Cromwell read and approved Machiavelli's *Prince*, is Pole's proof that Cromwell is possessed of an army of devils, an emissary of Satan to the king. Then he proceeds to tell also how Cromwell accomplished his mission from Satan.

Pole heard it from one who was present that on a certain occasion the king with a great sigh said that, if he had known how difficult the divorce was, he would never have begun it. From this mood of hesitancy he was brought by Cromwell; and Pole gives a long speech of over 1,500 words made by Cromwell to the king. Pole says that he does not know that he has the order of this speech correct, for he was not present, but he can affirm that there is in it nothing which he has not heard, either from the speaker himself or from those who were the sharers of his counsel. Now when we remember that ten years had elapsed since the speech which Pole did not hear was supposed to be delivered, when we notice that he never referred to either conversation or speech in his writings during the interval, and perceive the unmistakable traces of Pole's reading of Machiavelli all through his version of Cromwell's supposed speech to the king, the conclusion seems inevitable that it was largely constructed under the predominant influence of Pole's conviction that the diabolic activity of Henry's government could best be accounted for by the belief that its chief councilor was the first man to introduce into English statecraft the principles of that Satan's Bible *Il Principe*.

The reasons which Pole alleges for seeking some direct diabolic influence to account for Henry's conduct should first be noticed. Pole was in no mood to recall the evils connected with the veneration of relics and pilgrimages, animadverted upon for more than a generation past by both schismatics and those who stood by the orthodox church (it will be sufficient to recall the words of Erasmus) and to him the wickedest things ever done by any tyrant in the history of the world were the destruction of the shrine of Saint Thomas à Becket and the dishonoring of his bones, and the destruction of the tomb of Saint Augustine.¹ To one who shares this opinion it may perhaps appear that the government of England under Cromwell's influence was so uniquely and diabolically wicked that we must assume for it some peculiar relation to principles ex-

¹ These were deeds "quæ nullus unquam apostata tentavit unquam nullus hereticus est conatus", *ibid.*, 110.

PLICITLY denying all the foundations of right and wrong. To one who does not share this view of the *unexampled* atrocity of the destruction of a saint's shrines and the brutal treatment of relics, the assumption that the government of England between 1531 and 1538 so incomparably exceeded in craft or cruelty or despotism the reigns of Henry's contemporaries, men like Ferdinand of Spain, Charles V., Pope Clement VII., or Francis I., that it must of necessity have been guided by some uniquely immoral principles, is scarcely worthy of serious discussion.

Moreover, if Cromwell had owned a manuscript of the *Prince* in 1528—and, as we shall see, there is very strong reason for believing that he did not see the *Prince* until ten years later—there would have been nothing especially significant about that fact. The *Prince* was first printed in 1532 at Rome, by the same printer who printed Pole's book, and under the favor and sanction of the pope,¹ who granted him a ten-years' copyright. It was then considered a perfectly proper book for a pious man to own. By 1554 some dozen editions had appeared, and the book was read by every one who read widely in politics at all. Sir Thomas Smith, a younger contemporary of Cromwell, and one of the fairest statesmen of his times, had it in his library of history and politics, of which a catalogue has survived. The possession of the *Prince* between 1528 and 1540 would suggest no presumption whatever that its owner was a singularly sinister personage; "it is known that Charles V.," for whom Pole wrote the *Apologia*, "carefully studied it, that his son and courtiers perused it".²

That Cromwell became, as Pole says, Henry's chief counselor in the process of breaking allegiance to Rome, destroying the political power of the clergy, and suppressing the monasteries is true enough. In carrying out this plan he used the ruthless and crafty methods common to the politics of the century; the condition of his power was willingness to serve the caprices of a despot whose morbid conscience gave to his evil deeds a singular stamp, which has thrown them into high relief among the many tyrannical acts of the age. But that Cromwell owed his policy or methods to the teachings of Machiavelli is in itself highly improbable. Machiavelli did not create, he only interpreted the political methods of his age. Pole's direct proof that Cromwell was an emissary of the devil is, to any one who knows that generation of the sixteenth century, entirely valueless. And it must be remembered that he himself, presumably

¹ See G. Amico, *La Vita di N. Machiavelli*, Florence, 1875, 415.

² Pasquale Villari, *Niccolò Machiavelli*, Milan, 1895-1897, Volume II., Libro Secondo, Cap. v., 421, chapter on the critics of the *Prince*.

with the advice of his friends, never gave the *Apologia* to the emperor, for whom he wrote it, nor to the world.

In addition to these considerations there are the following detailed reasons to show that Pole's account of Cromwell as the messenger of Satan, drawing his policy from Satan's Bible, is untrustworthy: First we should observe that Pole, like most men, was capable of making mistakes in representing long afterward what he had felt at a certain time and, in regard to small things, in relating what he had done. For example, the letter to Edward VI. (1547-1553), denying the charge that he had undertaken his mission in 1539 to induce kings to take arms against Henry, asserts that he merely intended to persuade the emperor and the French king to use the reasoning of love and friendship with Henry. He never wished that they should attack him by force of arms. He says he will not deny that he advised, in case love and kindness failed, that threats should be added, and that as a last extreme remedy they should declare a commercial blockade.¹ Now this does not necessarily involve any conscious misrepresentation of facts. But we may confidently affirm that it is in effect an entire misstatement. Pole was directed by the pope to carry the bull of excommunication to Charles and ask his aid in its execution, so far at least as by recalling his ambassadors and forbidding all trade with England.² This of course was only an indirect way of using force, because we know from Pole's secretary that it was hoped by cutting England from all communication with Christendom to cause such misery that the people would rise in rebellion against Henry.³ But this consideration by no means measures the error of Pole's recollection. Section viii. of the *Apologia* shows that the account Pole gave after 1547 of his motives and feelings in 1539 is explicitly contrary to fact. That section, written when he was about to undertake his mission, but not published until two hundred years afterward, plainly states that the motive of his mission is to persuade the emperor to postpone the Turkish war and turn his arms against England. Moreover we know that this is what Pole tried to persuade the emperor to do; for the following despatch of Mocenigo, the Venetian ambassador, records the account the emperor gave, soon after Pole left him, of his interview with Pole:⁴

¹ *Epistola ad Edwardum VI.*, xlv, *Poli Epistole*, IV.

² Pope Paul III. to Charles V., January 7, 1540, *Calendar of State Papers, Spanish*, VI., Part I., 97.

³ Beccatelli's *Life of Pole*, 17, in *Poli Epistole*, I. Beccatelli was Pole's secretary and intimate companion.

⁴ Quoted and summarized in *The Emperor Charles V.*, by Edward Armstrong, M. A. (Macmillan, 1902), II. 21.

On the one hand it seems that the Cardinal wishes me to forbid trade with this king of England as a sort of warning, on the other he appears to want me to make war on him: my answer is that I know full well what war means — that it is easy to begin and not so easy to end: . . . if His Holiness is counselling such enterprises, it is because he is far distant from the said king; were he as near him as I am, his advice might be very different.

Charles reminded Pole that at Nice the pope had impressed upon him that the crusade was so important that all other enterprises must be postponed for this; he could not imagine why His Holiness had changed his mind. Pole urged that the English evil was intrinsic, the Turkish extrinsic,¹ and demanded that the intrinsic danger should receive the first attention. "But", replied the emperor, "if the Turk came to Italy and right up to Ancona, as come he undoubtedly would, would His Holiness regard that as an extrinsic evil?" Thus the emperor's account of what Pole said on his mission agrees entirely with Pole's own record in the *Apologia* of his feelings just before and after that mission, and shows that Pole's account of that mission written years afterward to Edward VI. was so incomplete as to be entirely misleading.

It may also be shown in the same connection that Pole is capable, as most men are, not only of making mistakes as to the main meaning of what he felt and said in time past, but also capable of making mistakes in telling what he did long ago. He writes in the *Epistola ad Edwardum VI.* that when his friends printed his *Pro Ecclesiastica Unitatis Defensione* without his consent during his absence from Rome in 1539, they arranged it in several books, "which I never had done".² But in the first part of the *Apologia*, composed on the eve of that absence, as the eighth section shows beyond question, he writes, "I have divided the work into four books", and he then describes them one by one.

Now, if Pole's memories about his feelings and acts were thus obscured and confused³ in the interval between the writing of the *Apologia* (1539) and the *Epistola* (reign of Edward VI., 1547-1553), it is evident that his memories about his feelings and acts as regards Cromwell might become confused in the interval between

¹ The fatuousness of this argument, exposed by the humorous reply of the emperor, is one of several indications that might be adduced to show how much Pole needed Cromwell's advice not to indulge in scholastic discussion at princes' councils.

² *Epistola ad Edwardum VI.*, Section xlviii, *Poli Epistola*, IV.

³ The suggestion which Pole's editor, Quirini, seems to imply (*Monumenta Preliminaria*, *ibid.*, I. lxxxvii) does not stand examination. If it did, it would free Pole from this mistake in memory only by involving him in another. Even taking Quirini's improbable suggestion, Pole's own writings show that he was mistaken either in the statement that he had never divided his treatise into four books or in the statement that he could never write a preface for the published work.

1528 and 1539. That they did so become confused is plainly shown by what he wrote in this interval. It is impossible to compare carefully the *Apologia* with the *Pro Unitatis Defensione* and Pole's letters between 1532 and 1539, without a suspicion rising almost to certainty that in this elaborate rhetorical invective against Cromwell he is telescoping in a very misleading way events long separated. In order to prove that Cromwell is a devil ("degeneravit in naturam dæmonum"), Pole tells the emperor that long ago he had a talk with Cromwell about the duty of a prudent counselor with his prince. At the end of it Cromwell offered to lend him a book on the subject written by a certain acute modern of experience. The subject of the conversation and the offer to lend him the book are facts that would be apt to remain in a man's mind. There is not the smallest reason to accuse Pole of inventing them.

There are, however, very strong reasons for doubting that the unnamed book which Cromwell offered to lend Pole was Machiavelli's *Prince*. But does not Pole say that Cromwell offered to lend him Machiavelli's *Prince*? He says nothing of the kind. Cromwell offered to lend him a book which he did not name or send. But "afterward" Pole found out from Cromwell's friends that Cromwell admired Machiavelli's *Prince*, and he concluded that it was the book Cromwell had so much praised. How long "afterward"? There are the very strongest reasons for believing that it was not before 1537, conjectural reasons for believing that it was during 1538.

Before examining these reasons, let us notice the very good ground for believing that the unnamed book which Cromwell offered to lend Pole in 1528 or 1529 was not the *Prince* of Machiavelli at all, but the *Courtier* of Castiglione: (1) The *Prince* was not printed in 1529; the first edition was of May, 1532. This does not, as some writers have thought, render it impossible for Cromwell to have had it, but it makes it improbable. Manuscripts of the *Prince* existed, but they were not very plentiful. (2) There is strong positive reason (to be afterward given) to believe that Cromwell did not see the *Prince* until long afterward, when a friend sent him a copy. (3) The *Courtier*, on the other hand, was printed in April, 1528, and was most widely read. In ten years it was published in seventeen editions and translated into Spanish and French. (4) We know that Cromwell had a copy from the following letter written to him in the summer of 1530 by Edward Bonner, afterward bishop of London:

Right worshipfull, in my veray hartiest maner I commende me to you. And wher ye willing to make me a good Ytalion promised unto

me, longe agon, the Triumphes of Petrarche in the Ytalion tonge. I hartely pray you at this tyme by this beyrer, Mr. Augustine his seruant, to sende me the said Boke with some other at your deuotion; and especially, if it please you, the boke called Cortigiano in Ytalion, etc.¹

(5) The *Prince* has nothing whatever to say about the subject on which Cromwell was talking to Pole—the attitude of a prudent counselor toward his prince.² Pole's recollections of this long-past conversation are not to be assumed as reliable in detail. He would not write it down, for in 1528 Cromwell was a man of no importance. But he would probably remember the subject and the general drift of the talk. This is his recollection:

Pole said in opening, "In my judgment this belongs to the duty of a counselor, not to dissent from those honest and useful things which natural law and the writings of pious and learned men teach". Cromwell replied that scholastic discussion differs from a king's council; that much depends on when, where, to whom, and by whom a thing is said; and that it is the part of a prudent and experienced man to know this. In this matter the learned, who lack experience, often make mistakes, and, because of their abruptness, cause the hatred of princes, because they do not know how to accommodate themselves and their remarks to place, time, and person. Hence, those who come fresh from schools to princely councils, for lack of experience, often run on the rock; which he confirmed with some examples of those who because they held too firmly to scholastic opinions were hated by princes and were not only useless but actually pernicious as counselors. Hence he summed up his opinion about the duty of a prudent counselor that the first part of it is to study the will of his prince.

(6) The *Courtier* is written about the character of princes' friends and the relation of counselors to their sovereigns. It is all about the duty of a prudent counselor. And the following passages are curiously apposite to the advice which Pole says Cromwell gave him:

Nor do I think that Aristotle and Plato would have scorned the name of perfect Courtier, for we clearly see that they performed the works of Courtiership and wrought to this end,—the one with Alexander the Great, the other with the kings of Sicily. And since the office of a good Courtier is to know the prince's character and inclinations, and thus to enter tactfully into his favour according to need and opportunity, as we have said; by those ways that afford safe access, and then to lead him towards virtue,—Aristotle so well knew the character of Alexander, and tactfully fostered it so well, that he was loved and honoured more than a father by Alexander. . . . And of these achievements of Alexander the author was Aristotle, using the means of a good Courtier: which Callis-

¹ Sir Henry Ellis, *Original Letters*, Third Series, London, 1846, II. 178.

² *Poli Epistole*, I. 133.

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thenes knew not how to do, although Aristotle showed him; for in his wish to be a pure philosopher and austere minister of naked truth, without mingling Courtiership therewith, he lost his life and brought not help but rather infamy to Alexander.¹

This very close parallel strongly suggests that the unnamed book was the *Courtier* and not the *Prince*.

But, whether this book that Cromwell offered to lend was the *Courtier* or not, there is the strongest reason for believing that Pole did not think it was the *Prince* till a long time "afterward". He describes how he "sought out this book as carefully as one seeks out the despatches of an enemy to know his plans". He certainly did not do this immediately, for in 1528 (or 1529), when this talk took place, Cromwell was of no importance whatever in the English state. Pole himself describes him as a man of no family, a mere hanger-on of Wolsey. Nor did he rise at all until in the beginning of 1531 he became a member of the royal council. It is hard to understand why, previous to that time, Pole could possibly have been inclined to seek out, "as the despatches of an enemy's general", the book Cromwell had offered to lend. That he did so in 1531 is very improbable for the following reasons: Pole gives, as a proof of his accuracy in reporting this talk with Cromwell, that as soon as he saw Cromwell growing in authority with the king, he left England, fearing what would happen "when he held the helm of state". In regard to this one point of leaving England, there is very strong reason to believe Pole mistaken in his memories of his motives seven years before he wrote. He left England in January, 1532, and he had been trying to obtain permission to leave for some time.² In 1531, when he must have begun to ask license to go to Paris, it would have been very difficult for any one to foresee Cromwell's future great weight in the English councils of state. He was not important enough to be even mentioned in the despatches of the imperial ambassador until April 16, 1533, when he is spoken of briefly as "Cromwell, who is powerful with the King".³ Norfolk and the other kindred of Anne Boleyn were in power at the time Pole left England. We have another account of the reason for Pole's leaving England besides that given here. It does not make any mention of Cromwell. Beccatelli, Pole's intimate friend, who wrote his life, says that he left England because of the fury of the king in an interview he had with him, when the king was so enraged at Pole that he gripped the hilt of his dagger as if to use it ("ut

¹ Quoted after L. E. Opdycke's translation, New York, 1903, 284-285.

² Despatch of imperial ambassador Chapuys to Charles V., *Letters and Papers of Henry VIII.*, V., No. 737; *Epistola ad Edwardum VI.*, Section xi, *Poli Epistola*, IV.

³ *Letters and Papers of Henry VIII.*, VI., No. 351.

ipse mihi Polus narravit"). "Moved by this offense of the king, Pole felt he ought to make every effort to leave England."¹

This lacuna between 1528 and 1533 is filled up by Pole with the account of the long oration of Cromwell to the king alluded to on page 708. The implication that this hypothetical oration made Cromwell at a stroke chief councilor of the king has been accepted without examination. But when tested by facts, by the *State Papers*, and by Pole's own writings, it appears very highly improbable. Pole was out of England from October, 1529, to July, 1530. On his return he lived in retirement. How did Pole find out that Cromwell was the real power behind the throne, when the Spanish ambassador, whose business it was to report the intrigues of the court, and who was in constant communication with the queen and her friends, had no suspicion that Cromwell was of any determining importance until 1533? The straightforward account of Cromwell's rise to power given by Cavendish² agrees with all the facts and presents no mysteries. Cavendish, Wolsey's gentleman usher, saw Cromwell constantly and talked with him just before he rode up to court to see the king on Wolsey's tangled affairs and, as he said in his favorite phrase, "to make or mar"; Cavendish did not approve of Cromwell's policy and therefore could have had no prejudice in his favor. Moreover, as the account of Cromwell's rise comes as a side issue into Cavendish's account of Wolsey's life, there was no motive, conscious or unconscious, for distortion. Pole had spoken to Cromwell but once in his life. His account is in a highly rhetorical polemic. The hypothetical conversation of Cromwell with the king is necessary to his argument that Henry is Antichrist inspired by the devil. Tried by every possible test for determining the value of historic evidence, the account of Cromwell's entry into the king's council given by Cavendish is far more trustworthy than the account of Pole. Cavendish says that Cromwell, in settling Wolsey's affairs, saw the king several times and impressed him by witty "demeanour" and capacity for business. The king took him into his service and made him a royal councilor. The *State Papers* show that his influence there was at first very small. He rose by capacity. In the summer of 1532 he was overwhelmed with business. In the fall he was the only commoner appointed to go with the king to France. In 1533 his power with the king was apparent to the Spanish ambassador.

Not only are there these reasons for doubting the accuracy of Pole's memory that he left England because of Cromwell's rise to

¹ *Vita*, vi and vii, *Poli Epistola*, I.

² George Cavendish, *Life of Cardinal Wolsey*, first printed in London, 1641.

power, but Pole's letters show unmistakably that, nearly five years after he left England, he did not regard Cromwell as possessed by the devil. Therefore he had not yet "searched out" the book that Cromwell offered to loan him and found it to be the *Prince*, for he says, "I had hardly begun to read it before I saw it was written by the hand of Satan". Four years after leaving England, Pole wrote to Cromwell as follows:

"In my heartiest manner I commend me unto you". He says he is glad to hear through his brother of Cromwell's friendly words in assuring him of the continuance of the king's gracious favor, which "I cannot but accept for a great singular pleasure and acknowledge the same for such a benefit as few of my friends could a given beside". He desires Cromwell to do him "a yet greater pleasure": "That it may please you to ascertain his Highness of my serviceable and prompt mind to do him service at all times wherein I can say no more but pray Almighty God to send me some good opportunity, who ever have you in his blessed keeping". He signs himself "Your assuredly bound Raynold Pole".¹

Pole could not have written this letter to a man he thought was governing England by Satan's Bible. More than a year later (February, 1537) Pole still had not searched out this Satanic book, for at that time Michael Throgmorton, a gentleman usher of the cardinal, writes to his friend Richard Morison "in the house of my Lord Privy Seal" (Cromwell) a long letter,¹ in which he "faithfully assures" Morison that Pole bears Cromwell "hearty affection which after long communication by entire and hearty fashion of speaking he manifestly declared seeing that what chance soever should happen he might be assuring of him to his power to shew him that friendly heart and pleasure that he, by his kindness and goodness showed toward him, hath deserved, with further words to the same tenor that at this time I will not rehearse. But briefly to conclude I think surely my Lord your master may assuredly rely of my master's heart to him as of any friend he hath in England" so that if the king's Highness will send any one into Flanders [to confer with Pole] I think my master "would be most best content to speak with him than any other".

This last suggestion Pole himself repeats in a letter to Cromwell written three days later. He says "by writing meseemeth we do not understand one another so that to reply more in this manner I see no point", suggests that learned persons from the king should meet him in Flanders, "and glad I would, if it might be that you

¹ *Nine Historical Letters*, etc., privately printed for J. P. C. (John Payne Collier), London, 1871; *Letters and Papers of Henry VIII.*, IX., No. 701.

might be one of them for you pretending [the word had not yet acquired the sinister meaning of falsely putting forward] that affection to the King's honour that I no less (and with the greatest) do bear to his grace, if we spoke together, peradventure some better ways might be taken than can ever be brought to pass by writing; wherein there will never be that end that both would desire."¹ If Pole believed that Cromwell had degenerated into the nature of a devil and was the minister of Satan, preaching the overthrow of all foundations of right and wrong out of a book written by the finger of Satan himself in order to confirm Henry in the career of Antichrist, these are extraordinary messages for a cardinal of the church to send and write to him.

Pole, unaware that Cromwell knew by advices from Rome and the French king that the object of his mission to Flanders had been to aid the insurrection in England,² had steadily denied any rebellious intentions. In his letter to Cromwell of May 2, 1537,³ he says the king's demand for his surrender as a rebel was caused by "the sinister and false report of others that, by false conjectures of things they knew not, had ill informed the king of my purpose in coming to these parts". But the rebellion he had hoped to aid was extinguished. He thought himself in danger of assassination. He was in danger of being trappanned and taken to England, as in 1529 Charles V. had seized and carried off from the very shadow of the Vatican a priest who had appealed from his authority to Rome.⁴ What he wrote to the pope was true enough. Ready as he might be to die if it could profit the church, his death now would only be to her dishonor. Having permission to withdraw, he determined to leave Flanders secretly. Throgmorton wrote a letter⁵ on August 20, insinuating that if Pole returned to Rome without obtaining some concession from the king about the papal authority, his book

¹ This letter, printed in full in *Nine Historical Letters*, privately printed for J. P. C. (John Payne Collier), is not calendared. The following letter explains its omission:

PUBLIC RECORD OFFICE, 1st August 1902

Mr. Paul van Dyke

Dear Sir,

The letter from Pole to Cromwell 16 Feb. (1537), to which you refer is in this office but the abstract of it was accidentally omitted from the Calendar for the year 1537. The nine letters are all undoubtedly genuine.

I remain

Yours faithfully

R. H. BRODIE

² See reference, page 703 of this article.

³ *Nine Historical Letters*, etc.; *Letters and Papers of Henry VIII.*, XII., Part I., No. 1123.

⁴ *Journal d'un Bourgeois de Paris sous le Règne de François I^{er}*, publié par M. L. Lalanne, Société de l'Histoire de France, 1854, 403.

⁵ *Letters and Papers of Henry VIII.*, XII., Part II., No. 552.

would be printed and the excommunication launched. The threat was repeated September 2 in the suggestion made to the English agent in Flanders,¹ that, if the king wished to stop such things as were likely to be put forth shortly in Rome, he should send at once to Pole.

This attempt to frighten Henry by the threat of publishing papal censures calling on all Christians to drive him from his throne, supported by a book denouncing civil war and appealing for foreign invasion, received as sharp an answer as one with real knowledge of human nature would expect. Two commissioners, one named by Pole himself, were appointed to go to Pole with the demand that he lay aside his claim to represent the incarnate justice of God sitting in judgment on the sins of the king of England, or abide the issue which that claim made inevitable.² The time of threats was past. Cromwell, playing his game to destroy in England the political power of the clergy, who in Pole's opinion were able to appeal for support to a college of cardinals mainly composed of Italians, Frenchmen, and Spaniards who believed themselves appointed to speak the divine judgments to all peoples of the earth, forced his adversary to show his hand—a hand which Pole thought contained infamy for Henry, serious danger of insurrection at home, and the imminent possibility of foreign invasion. But Pole, without waiting for the arrival of the commission he had asked for, was already on his way to Rome,³ having started August 22; Throgmorton, as he afterward boasted, had tricked Cromwell;⁴ and Cromwell answers this threat of publishing the book and loosing the anathemas of the church to provoke rebellion and invasion by a letter defying Pole and the pope. "You have bleared my eye once", he writes to Throgmorton, "you shall not again." He threatens Pole with the most brutal agencies known to contemporary politics—assassination and proscription of his family.⁵ Then Pole began to see in Crom-

¹ *Ibid.*, No. 635.

² *Ibid.*, Nos. 619, 620.

³ *Ibid.*, Nos. 559, 598, 725.

⁴ He had left England to return to Pole, telling Cromwell that if he could not persuade Pole to resign the cardinal's hat and resume allegiance to the king, he would desert Pole's service.

⁵ In regard to these two letters from Cromwell, one sending commissioners, the other threats and defiance, Mr. Gairdner seems to have fallen into a slight error, a thing very unusual for that distinguished scholar. He says in the preface to Volume XII., Part II., xxxvi, "In short the King . . . had entertained the idea of sending some one to confer with Pole . . . [but] had on second thoughts resolved to cast aside all decency and distinctly threaten", etc. No. 725, a letter from Hutton, shows that Cromwell's letter No. 619, promising to send the commissioners asked for by Pole, had been forwarded to Throgmorton, but that Pole and Throgmorton had already gone to Italy without waiting to receive it, the letter of Throgmorton not being delivered to Hut-

well what he had never seen before—the agent of Satan for hardening Henry in the career of Antichrist.

The words "had never seen before" are used advisedly. Not only are Pole's letters to Cromwell up to the beginning of 1537 inconsistent with a belief on his part that Cromwell had become a devil and was the instrument of Satan hardening Henry in crime, but in 1536 he wrote an altogether different account of the agent of Satan in that persuasion. When he had been asked to reply to the question whether the supremacy of the pope had been established by God, a book by Richard Sampson¹ against the papal supremacy had been sent to him that he might consider its arguments. Pole's answer to the question, as already related, took the form of the book *Pro Ecclesiasticæ Unitatis Defensione*. He says,² addressing Henry, "God permitted Satan to come to you and persuade you that you would increase your glory by taking the name supreme head of the church." "But how did Satan persuade you to this? Why should we ask how, when we have the book of Sampson, who was the instrument of Satan to persuade you to do it? Is anything hidden which Sampson and the other instruments of Satan said in thy ears, since they have been willing to commit it to writing?" Now if in 1536, when he wrote these words, Pole had been certain that Cromwell had come straight from Satan to Henry—he says in the *Apologia* (1539), "I knew who sent him and I knew the message he brought"—as the special emissary of the devil to persuade Henry to take the title supreme head of the church, and that Cromwell had done it by arguments drawn from the book of Machiavelli, it is psychologically very hard to believe that while speaking of those implements of Satan, Sampson and Sampson's book, Pole should not have mentioned either Cromwell or Machiavelli's book. But neither Cromwell nor Machiavelli is mentioned either here or anywhere else in the *Pro Ecclesiasticæ Unitatis Defensione*.

Having shown that up to February of 1537 Pole did not regard Cromwell as possessed of a legion of devils nor as preaching Satan's Bible, *Il Principe*, the next question would be, When did Pole first ton until twelve days after date (No. 635). It was after receiving this note from Hutton, telling him that Pole and Throgmorton had gone on without waiting and that there was no use in sending commissioners, that Cromwell wrote No. 795. In spite of this threat, there is nothing to show that any attempt was made to assassinate Pole. One instance where Pole was afraid of a certain man, which is cited in the preface of a volume of the *Letters and Papers of Henry VIII.* as a proof of the attempt, is shown by documents in the volume to be a mistake. The supposed murderer was at the time trying to get pardon and employment from the king. An attempt was made to trapan Pole, bring him to England, and execute him, but Henry refused Wyatt's offer to have him assassinated.

¹ *Oratio que docet hortatur admonet omnes potissimum Anglos regie dignitati cum primis ut obediant*, etc., London, 1533.

² Ingolstadt edition, Book III. 401.

read Machiavelli, and so finding out, as he says, the principles of his action, discover Cromwell's devilish nature? For direct evidence on this question I have searched in vain Pole's correspondence and that of his friends. In his extant writings to 1540, so far as printed, Pole does not mention Machiavelli except in the *Apologia*. This also is a strange thing, if he knew for years before he wrote the *Apologia* that Cromwell was responsible for the sins of Henry, that Machiavelli and the devil were responsible for Cromwell's advice. The omission is not however conclusive, for some of Pole's letters may be lost.

But it is a fact that, so far as we know, the only time that Pole alluded to Machiavelli's influence before he wrote the *Apologia* was in March, 1538. This was not long after a trip to Florence (February or March, 1538),¹ where, as he tells us in the *Apologia*, he discussed Machiavelli's doctrines, and not long before he began the *Apologia*. A record of this conversation has been preserved in a curious way. John a Legh, a traveler to many lands, who had spent some years in Italy and had been conversant with Pole, returned to England in 1540. He was arrested and put in the Tower for examination. A deposition giving an account of his intercourse with Pole has survived.² He writes that at a dinner given at the time when Pole, as head of the English Hospital at Rome, made a certain Hillyear master and a certain Goldwell custos, Pole talked about the sacrilege of the English king in "pulling Thomas of Canterbury from his shrine". He then asked "what stories I had read in the Italian tongue". I answered that as yet I had no leisure but on going home I would get some and read them. He warned me against reading "the story of Nicolo Matchauello, which had already poisoned England and would poison all Christendom, and said he would do all he could to cause it 'to be dystynkyd and put down howt off remeberans'". This conversation could not have taken place before March, 1538.³

¹ I have been able to date this visit to Florence by a process too long to be described in a note, but apparently certain in its result. Mr. L. A. Burd, in his admirable edition of *Il Principe* (Oxford, 1891), dates the passage of the *Apologia* that tells of discussing Machiavelli in Florence, 1534 (p. 37). He is doubtless misled by the idea that the *Apologia*, being a preface to the *Pro Unitatis Defensione*, was written when it was published, and he follows Grasse (*vers* 1536) and Brunel (*circa* 1536) for the publication. Professor Villari in his *Machiavelli* does the same thing. As already shown, page 700, the publication was in 1539. If, as seems probable, the *Apologia* was finished in the spring or summer of 1539, "superiore hyeme" would mean the winter of 1538 (Pole's usage often includes in "winter" the first month of spring and the last of autumn).

² *Letters and Papers of Henry VIII.*, XV., No. 721.

³ This is established by information kindly furnished by the head of the English College at Rome, which is the successor and literary heir of the English Hospital. All

Another strange chance has preserved to us a record of the fact that one of Cromwell's intimate friends, Lord Morley, a man who had frequently engaged with him in literary conversation and more particularly in conversation about Florence (see passages in his letter), sent him in the beginning of 1539¹ a volume containing the *Florentine Histories* and the *Prince* of Machiavelli as something which Cromwell had never seen before. Now if Pole explicitly asserted that Cromwell had Machiavelli before 1539, and Lord Morley early in 1539 sent Cromwell the book as a novelty, the very strong probability would be that Pole was mistaken and Lord Morley right; for Pole had talked with Cromwell only once in his life, and Morley had often talked intimately with him on politics and literature. But the reader must again be reminded that Pole does not say that Cromwell had Machiavelli at any given time. He records an old conversation with Cromwell and says that "afterward" he found out that he was a close student of Machiavelli. The conclusive reasons for believing that "afterward" must carry us on at least to March, 1537, have been given from Pole's own writings. What is more reasonable than to believe that in the spring of 1539 Pole had heard from his sympathizers in England that Cromwell was discussing with keen interest the book sent him by Lord Morley, and that in the *Apologia*, which Pole was finishing at that time, he should combine with an attack on Cromwell and Henry the fulfillment of the resolution expressed the preceding spring, which John a Legh naïvely reported as a plan to cause "Nicolo Matchauello" to be everywhere "dystynkyd and put down" out of all remembrance?

Besides this special line of investigation, many instances might be cited to show that the judgments of the *Apologia* are not those of a historian, but of a polemic, writing out of a mood the very honesty of whose intense zeal makes his work untrustworthy. Before doing so, it is well to recall that a partizan bias in forming moral judgments was common to the age. An intense partizan is apt, often unconsciously, to judge an opponent of his cause far more severely than a supporter of it; and the working of this natural tendency can be seen nowhere more plainly than among the judgments upon the morality of actions uttered by men of the sixteenth century. Documents relating to these appointments were not found, and current statements about them are probably confused, but an index of documents which was found mentions a papal letter of March, 1538, appointing Cardinal Reginald Pole head of the Hospital.

¹ Sir Henry Ellis, who printed this letter in full (*Original Letters*, Third Series, III. 63) dated it 1537. It is dated only February 13. The editors of the *Letters and Papers of Henry VIII.* (XIV., Part I., No. 285) have assigned it to 1539, for good reasons, which may be traced in Volume XIV. If it were written in 1537, it would make no great difference to the reasoning of this article.

century. The delinquencies of the princes who embraced Lutheranism bulk smaller in the pamphlets of Lutheran divines than those of Roman Catholic princes. Huguenot writings or speeches at the time of the civil wars are apt to paint in vivid colors the atrocities of Roman Catholic soldiers. They seldom emphasize strongly the savage deeds of Huguenot partizan bands. And to Pole, as to most men of his time, circumstances unconsciously to himself altered cases.

According to the method pursued in this article, his tendency to suffer his moral judgments to be altered by circumstances will first be illustrated by an instance taken from his writings outside the *Apologia*. Damianus a Goes, writing to Pole, spoke of the great ingratitude of Richard Morison, who, after being supported by Pole at Venice, had repaid his benefits by controversial attacks. Now this was precisely the charge his enemies made against Pole. He had been supported as a student on a royal pension for years and had used his learning against the king. Pole answered with unquestionable sincerity that he had done so for conscience sake. It never seemed to occur to him that there was any possibility of force in Morison's plea that he had stood by the king against his former benefactor for conscience sake. He answers Damianus a Goes: "Concerning what you write about Morison, you rightly detest his ungrateful soul. The vice of ingratitude is a very summary of evil. But if he has been so ungrateful to God, what wonder that he has been so ungrateful to me?" No one with any knowledge of human nature would see in this a proof of insincerity. It only expresses a tendency common to all partizans, intensified in the death-struggle of opposing ideals in the sixteenth century. When Protestant Elizabeth ascended the throne, John Knox was not so positive as he had been under Roman Catholic Mary in asserting that the rule of a woman was against the laws of God and nature. When the Huguenot Henry of Navarre came into sight as the legitimate heir of the throne of France, Huguenot controversialists began to feel the power of the divine right of kings, and Jesuit writers began to see new force in arguments for the supremacy of the people.

A very slight examination of the *Apologia* makes evident the fact that Pole's moral judgments are tremendously swayed by his partizan religious sympathies.¹ For instance, he denounces in the most unmeasured terms the lustfulness of Henry VIII. Most courts at that time were bad places, and Henry's was not one of the best. But it is hard to see that Henry was a more licentious man than

¹ The writer here intends no defense of Henry. He is only suggesting a method of testing the accuracy of Pole's judgment that Henry's deeds display a *unique* atrocity of lust and cruelty.

James V. of Scotland. James had illegitimate children by six different mothers, four of them being daughters of noblemen of his court. Pole could hardly have been unaware of this, for several of these children held important ecclesiastical benefices conferred at Rome. Yet, in his letters to James, Pole addresses him in terms of unbounded admiration: "You set yourself forth as the strenuous minister of Christ's piety", "The noble offspring of pious kings, the constancy of whose piety you repeat in all things."

The conclusion is inevitable that the judgment expressed upon the *unique* and *unexampled* licentiousness of Henry in the denunciation of the *Apologia* is probably unconsciously based upon the fact that Henry's passion for Anne Boleyn was the chief cause which led him to deny the papal supremacy. Pole would evidently have agreed with Sanders, who wrote in *The Rise and Growth of the Anglican Schism*,¹ "The royal household consisted of men utterly abandoned, gamblers, adulterers, panderers, swindlers, false swearers, blasphemers, extortioners and even heretics".

Pole's judgment upon the unexampled cruelty of Henry is evidently inspired by the fact that its victims were largely supporters of the old relation of England to the papacy. Henry shed more noble blood, but he did not put to death more people than several other rulers of his age. In the year 1534, when Pole was writing the *Pro Unitatis Defensione*, which denounced Henry as guilty of inhumanity unmatched in history, Francis I., whose character Pole praises, burnt twenty-three Lutherans in Paris, presiding at the execution of six who were dipped in the *balançoire*, a machine which swung them up and down in the flame in order to prolong the death-struggle. Pole could scarcely have been ignorant of this.

Pole rebukes in the severest terms the cruelty of Henry's punishment of the northern rebellion which centered round the Pilgrimage of Grace. He has no word of blame for the comparatively greater severity of Mary in executing about one hundred for Wyatt's rebellion. He denounces the execution of More and Fisher as deeds worse than those of Nero and Domitian. It was a savage act; but when Pole was head of the English church and chief counselor of the throne, to whom Philip had solemnly committed the care of his wife and kingdom, he expressly approved a deed which from the modern point of view was, like the execution of More and Fisher, an act of savage and superfluous cruelty. In a letter to Philip he reports with full approval² the burning of Latimer and Ridley. And if, during those three years of Mary's rule whose

¹ Edition by David Lewis, London, Burns and Oates, 1877, 24.

² *Poli Epistolæ*, V. 84.

record of executions cannot be matched during the entire reign of Henry, Pole used his authority as head of the English church or his influence as chief councilor of the throne to save any one from death, no record of it has survived. He had for Mary's conduct and character nothing but the fullest praise. These observations do not imply the least doubt of the sincerity of Pole's denunciations of the crimes of Henry, nor question the entire honesty of his approval of the punishment of the two to three hundred heretics burnt by Mary. They simply illustrate the fact that the controversial writers of the sixteenth century used words like cruelty and wickedness from a standpoint of moral judgment which would be assumed by very few men of to-day, whether Roman Catholics or dissidents from the ancient church. And the *Apologia* of Pole in purpose, tone, language, and judgment is one of the most violently polemic writings of the century.

The writer ventures to suggest, in view of the foregoing examination, that there is far more reason for rejecting Pole's portrait of Cromwell in the *Apologia* than the portrait of Cromwell in Foxe's *Book of Martyrs*, now very properly set aside by modern writers as one-sided. The true portrait of Thomas Cromwell is to be made out of the positive record of his acts. And he ought to be judged by his own ideals, not by ideals he rejected. Over seven thousand letters and papers relating to him have been calendared. The inaccurate memories of his bitterest enemy should no longer distort their interpretation. Thomas Cromwell was no "Martyr of the Gospel". But the diabolically inspired disciple of Machiavelli is a creation of the excited imagination of Pole. And the mysteriously sinister atmosphere which modern writers have borrowed from Pole to throw around their portraits of one of the most capable of English statesmen is not the light of history.

PAUL VAN DYKE.

THE NAVIGATION ACTS AS APPLIED TO EUROPEAN TRADE

THE Navigation Act of 1660,¹ though aimed at the Dutch and intended to enable the English to displace them in the carrying-trade of the world, discriminated equally, with slight exception, against the merchant marine of every foreign power. The ships of continental Europe, and the few other international carriers that then existed, were excluded (1) from the import and export trade of the English colonial possessions in Asia, Africa, and America; (2) from importing into England the goods of the foreign parts of those continents; (3) from the English coastwise trade; and (4) certain restrictions were thrown about the importation into England of the products of Europe. Every one of these provisions affected European trade, but it is intended to discuss in this paper only the last, namely, the limitations laid by the Navigation Act of 1660 upon the importation of European commodities into England, involving the restrictions upon foreign and English carriers in this trade.

International commerce, as we know it in recent times, is in its characteristic condition when it takes place between independent countries, each having a merchant marine engaged in international carrying. Down to the latter part of the eighteenth century, Asia, Africa, and America consisted almost wholly either of colonial dependencies of Europe or of countries that possessed no transoceanic carriers and were in other respects considered beyond the pale, and it is not strange that trade with those continents should have been subjected to peculiar legislation. In England's restrictions upon commerce between herself and her rivals in their own commodities we find her attitude toward that trade which is most characteristically international. In addition, therefore, to a clear understanding of the principles that conditioned European trade for more than a century and a half, the question in hand has a curious significance in American history, for it furnishes a standard of comparison for England's attitude toward other powers—especially as a point of departure in determining whether England discriminated against, or

¹ The Navigation Acts of 1651 and 1660 are printed in part in William Macdonald, *Select Charters and other Documents Illustrative of American History, 1606-1775* (New York, 1899), 106 ff.

in favor of, the trade of the United States in 1783, when we took on an international status.

The act of 1660, much altered and in part repealed by innumerable acts, was not completely repealed until the nineteenth century was well begun. The sections of the act that contained the provisions restricting European trade remained in operation with slight modifications, some increasing the original severity, some relaxing it, down to 1822. These sections were then repealed; but a large part of the restrictions which they imposed were included in the consolidation act of that year and in that of 1825, were slightly altered in the act of 1833, and thereafter gradually relaxed by legislation and treaty until their final repeal in 1849.

What were the restrictions imposed by the Navigation Act of 1660 upon European trade? It is commonly stated that no European commodities could be brought into England except in English vessels or in vessels of the country of which the goods were the growth, production, or manufacture.¹ The severe principle thus stated is indeed to be found in the ordinance of 1651, which was in part virtually reenacted by the Restoration Parliament; but it is worth going carefully over the text of the two acts before concluding that the later one reenacted, in all their severity, the restrictions upon European trade contained in the ordinance.

Neither Europe nor the products of Europe are specifically mentioned in the text of the act of 1660. It has been commonly assumed that European commodities are included in the words "Commodities that are of forraigne growth" in section iv., and that section iv. ap-

¹ Such is the interpretation placed upon that act by Dr. William Cunningham, who says: "Another clause of the Acts excluded the Dutch from a carrying trade between England and the Mediterranean ports; since goods of foreign growth and manufacture were only to be imported in English ships, English-built and English-manned." *Growth of Industry and Commerce in Modern Times* (Cambridge, 1892), III. 111. This statement is omitted in the edition of 1903, but European trade under the two acts is still imperfectly treated. See Cambridge edition of 1903, 209, and note. Leone Levi makes a similar statement: "But Dutch ships regularly visited France, Germany, and other countries in Europe, to find freights for England; and from this trade also they must be excluded by providing that no goods or manufactures of Europe should be imported into Great Britain or her colonies except in British ships, or in ships of the countries to which such produce belonged." *The History of British Commerce* (London, 1872), 158. Professor Edward Channing takes the same view: "The sections numbered three, four and five were virtual repetitions of the Ordinance of 1651, and confined the trade from known places in Asia, Africa and America to English vessels navigated by Englishmen, and, as in the ordinance, European goods could be brought only in English vessels or vessels of the producing country, and then only from the usual places of shipment." "The Navigation Laws", in *American Antiquarian Society, Proceedings, 1889-1890*, 165. Such is also the interpretation of George Louis Beer, *The Commercial Policy of England toward the American Colonies* (Columbia University Studies, III., Part II.), 31; Edward P. Cheyney, *An Introduction to the Industrial and Social History of England* (New York, 1901), 193; and others.

plies the stated restriction. But the failure to make any such specific statement should be noticed, inasmuch as the ordinance of 1651 had provided specifically "That no Goods or Commodities of the Growth, Production or Manufacture of *Europe*" should be brought into England except in English vessels or in the vessels of the producing country. The absence of specific mention from the later act would not have so much weight, nor would it be so unreasonable to assume that the products of Europe were included in "Commodities that are of forraigne growth", if section iv. really provided that the "Commodities that are of forraigne growth" should only be imported in English ships or in ships of the producing country. It does not make this provision. The "Commodities that are of forraigne growth" are to be imported only "in English built shipping, or other shipping belonging to some of the aforesaid places". "Aforesaid places" cannot possibly include the countries of continental Europe, for they are not mentioned in this section nor in any preceding section of the act. Obviously, the aforesaid places are the English empire. Moreover, if section iv. had really contained the supposed provision and had applied it to all foreign commodities, including all the products of Europe, what reason was there for inserting section viii., which applies this provision to the goods of Russia and Turkey, and to some other enumerated European commodities? The true meaning of section iv. may be found by a glance at the ordinance of 1651.

That ordinance enacts (1) that no goods of Asia, Africa, or America shall be imported in any but English ships, and (2) that no goods of "Europe" shall be imported in any but English ships or in ships of the producing country; and after thus covering all foreign goods, there follows a section almost identical with section iv. of the act, which in that place is superfluous, except for the single additional restriction that the foreign commodities named in the preceding sections must come from ports of the producing country and from no other; the purpose being to prohibit ships, especially the English, from making up their cargoes in Holland and other European entrepôts instead of making the longer voyages to the original places of growth and production. This is the sole meaning of that section in the ordinance of 1651. If we apply the same interpretation to section iv. of the act of 1660, the expression "Commodities that are of forraigne growth" will include only the products of Asia, Africa, and America, which are the only commodities mentioned in the preceding part of the act. The tone of section iv. favors this interpretation. Its first lines are a perfunctory recital of the sense of the preceding section to designate the commodities

intended, ending with the phrase "as abovesaid", obviously referring to the preceding section; then follow the additional restriction and the penalty.

Section iv. being thus disposed of, the conclusion is, that the act of 1660 imposed no restrictions upon the importation of European commodities other than those of section viii. Hence, under that act, any European commodities could be brought from any European port into England by any ships whatever, except only the products of Russia and Turkey and the enumerated articles, which must come in English ships or in ships of the producing country.

Corroboration of this view must be looked for in the decisions of the courts. What was the interpretation of the act applied by the customs officers and the courts? Fortunately we have a very full and clear answer to that question by John Reeves in his handbook, written in 1791, for the use of the members of the Board of Trade:

The wording of the fourth section of the Act of Navigation is so general; that it was supposed by many to include ALL foreign goods or commodities whatsoever, and not to be confined, as it is now understood, to the goods and commodities of Asia, Africa, and America. It is true, this misconception does not appear to have prevailed with the courts, at least in any case which has come down to us; but it seems to have been so construed by the law officers of the customs. The following are examples of the progress made in ascertaining the true meaning of this clause.

In 20. *Car.* 2, an information was filed for importing Malaga wine in a ship not English, nor English-navigated. It was objected, for the defendant, that this section of the act, though general, was yet confined to the products of Asia, Africa, and America; for it related to the sections that went before. The chief baron *Hale* is made by the Reporter to say, that the subsequent sections might include Europe in some particular cases, *but not in the case now before us*; plainly intimating, that this section did not apply to the European trade, and that the clauses which did apply to the European trade did not make this case a cause of forfeiture.¹

More than twelve years after this, we find a case stated for the opinion of the law-officers, which shows, that the officers of the customs still considered this section as affecting the European trade.²

The law-officers gave it as their opinion that hemp of the growth of Europe might be imported in English ships from Holland, though Holland was not the place of its growth, nor the port where it could only be, or usually had been, first shipped for transportation.³ The point is, that the provision of section iv., that foreign goods must be shipped only from the producing country or from the place of usual

¹ This is the case of *Witheren vs. Robinson*, reported in Sir Thomas Hardres, *Reports of Cases Adjudged in the Court of Exchequer, 1655-1660* (London, 1693), 487.

² *A History of the Law of Shipping and Navigation* (Dublin, 1792), 126-127.

³ *Ibid.*, 127-128.

shipment, does not apply to European goods, and that provision not being repeated in section viii., the ships privileged by the latter section might pick up the enumerated goods in any port, the restriction being as to vessels only and not as to the place of shipment.

But the officers of the customs seem still to have entertained doubts upon the extent of this section [section iv.]; for in the year 1702 there were stated for the opinion of *Sir Edward Northey* two instances of Spanish wine imported from Portugal. To both these he answered that the fourth section of the Act of Navigation was confined to the sections which went before, and applied only to the goods of Asia, Africa and America; and that the products of Spain might be brought from Portugal.¹

In another place, speaking of the restrictions put upon European trade by section viii., Reeves says:

In the act of 1651 the whole of this trade was regulated; and it was, in some respects, subjected to the same restrictions as those imposed on the trade of Asia, Africa and America, in the fourth section of the new act. But the Parliament now thought proper to subject only a portion of it to regulation; the rest was left at large; and in this respect some sacrifice was made to the interests of our commercial neighbors, who had complained so heavily of the partial spirit of the former act.²

After quoting section viii., he continues:

The prohibition to import, except only in English ships, or ships of the country whence the commodities come, does not, we see, extend by the present act, as it did by the old one, to all Europe, but is confined to the commodities of Russia and Turkey, and to the articles that are above³ specially enumerated; so that any European merchandize not there enumerated, and not of the growth, production, or manufacture of *Russia* or *Turkey*, may, by this act, be imported in a ship not English-built, nor of the country from whence the merchandize comes.⁴

All goods not especially enumerated or restricted could be imported in any ship whatever. This principle of the Navigation Act proved a stumbling-block to American statesmen for a considerable period following 1783. They did not grasp the difference in principle between the restrictions placed by the act upon European trade and its restrictions upon the trade of the other three-quarters of the world. They knew that the wording of the act was such that special British legislation was necessary to permit Americans to carry American products to England, and they supposed, in the absence of any new legislative permission, that they were entirely debarred from the European export trade to England. The fact was that the ships of the United States were on the same footing as the ships of any

¹ *Ibid.*, 128-129.

² *Ibid.*, 156-157.

³ That is, in section viii., which he has just quoted.

⁴ Reeves, 158.

European country in carrying to England the products of any other European country. Ignorance of this fact gave rise to one of our minor grievances against the British system. Jefferson, in his famous report of 1793, complains, "We can carry no article, not of our own production, to the British ports in Europe."¹ Madison² and Fitzsimons³ had said the same thing in 1789 in the debates on tonnage discrimination. Tench Coxe had also⁴ included it in his reply to Lord Sheffield. It remained for Lord Grenville to set the Americans right in 1797. The act of Parliament dated July 4, 1797, for carrying into effect the Jay treaty, virtually enacted into statute the orders in council under which the above objection had been made. Rufus King was consulted while the act was pending. Lord Grenville handed him a draft of the act, and King entered a lot of objections upon it. Grenville, it seems, carried these to the Board of Trade and brought back a reply. He said, among other things, that by the act American trade with the home ports of Great Britain "is intended to be left precisely upon the same footing in which it stood by the orders in council, from which the words of the proposed act are nearly taken".⁵ Since there is nothing in the orders or in the act restricting our rights in the European trade, that trade remained open to us, except as restricted by the navigation acts. Lord Grenville said: "All European articles, the importation of which is not confined by the act of navigation to British ships, or ships of the built of the country, from whence such articles are brought, . . . will remain free to American ships, in common with all others."⁶

With regard to the commodities of Russia and Turkey and the enumerated articles, the act of 1660 went a step farther than the ordinance of 1651 in one respect, namely, that if merchants chose to ship the restricted goods in the vessels of the producing country, as permitted, they must pay double aliens' duties on them.⁷

The Act of Frauds⁸ of 1662 added other restrictions which are

¹ *American State Papers, Foreign Relations*, I. 303. The orders in council had opened to American vessels the importation into the home ports of Great Britain of all American products. The error noted is qualified (1) by the fact that the restrictions upon the West-Indian trade were largely in the minds of Americans to the exclusion of clear thought on minor points; (2) by the fact that the European trade that remained unrestricted was not considerable, as is suggested farther on.

² *Annals of Congress*, First Congress, I. 183.

³ *Ibid.*, 187.

⁴ *A Brief Examination of Lord Sheffield's Observations on the Commerce of the United States* (Philadelphia, 1791), 100.

⁵ *American State Papers, Foreign Relations*, II. 112.

⁶ *Ibid.*

⁷ Section ix.

⁸ 13 and 14 Charles II., Ch. XI., *Statutes of the Realm*, V. 393.

so nearly a part of the Navigation Act that they must be considered along with it:

§ 23. And whereas some Doubts and Disputes have arisen concerning the said late Act for encreasing and encouraging of Shipping and Navigation about some of the Goods therein prohibited to be brought from Holland and the Parts and Ports thereabouts Be it enacted and declared That no sort of Wines (other than Rhenish) no sort of Spicery Grocery Tobacco Potashes Pitch Tar Salt Rozin Deale Boards Fir Timber or Olive Oyle shall be imported into England, Wales or Berwick from the Netherlands or Germany upon any pretence whatsoever in any sort of Ships or Vessels whatsoever upon penalty of the losse of all the said Goods as alsoe of Ships and Furniture.

It appears that there had been evasions of section iv. of the Navigation Act, that requiring goods of Asia, Africa, and America to be imported direct from these places, and it has been considered that this new provision was mainly intended to make absolutely impossible the importation of these goods from or by way of Holland. It was therefore construed very liberally in favor of admitting goods from Germany and Holland, of their own growth and production; thus "white-pitch" of Germany was admitted, though "pitch" was expressly prohibited, and "Rhenish wines" was construed to mean any kind of German wine. Of this section Reeves says:

Most of the articles, therefore, intended by this provision, were the productions of Asia, Africa or America; and with regard to them the prohibition was no more than a repetition of that provision in the Act of Navigation, which requires such articles to be brought from the place of their growth. If, indeed, they had undergone such a manufacturing in the Netherlands or Germany as would constitute them a manufacture of those places, they might be brought from thence under the Act of Navigation; and in respect to such articles this prohibition was wholly a new law. It was likewise a new law in regard to such articles here mentioned as were European commodities.¹

A statute of George I. withdrew this prohibition from fir-timber, fir-planks, masts, and deal-boards of Germany, allowing them to be brought in by English ships, and in 1782 these articles were made subject to the same provisions as the articles enumerated in section viii. of the Navigation Act.

These restrictions which we have considered—section viii. of the Navigation Act, section xxiii. of the Act of Frauds of 1662, modified as just indicated—were practically the only restrictions put upon European trade by the navigation laws, and these remained in force down into the nineteenth century.² In 1822, as is said above, both these sections were repealed. The navigation laws were consolidated. The restrictions upon the goods of Russia and Turkey and

¹ Reeves, 164.

² There were some relaxations that made the importation of these restricted articles easier:

of the Netherlands and Germany were then finally dropped, but a long list of enumerated articles reappeared in the consolidation act. These articles received the new privilege of being admitted in the ships of the country from which they were imported, whether it was the country of production or not. Salt, pitch, rosin, potash, sugar, and vinegar, which formed a part of the list in this act of 1822 and of the list in the consolidation act of 1825, were omitted from the consolidation act of 1833, and some additions were made. The list and restrictions then read as follows:

The several sorts of Goods herein-after enumerated, being the produce of *Europe*; (that is to say) Masts, Timber, Boards, Tar, Tallow, Hemp, Flax, Currants, Raisins, Figs, Prunes, Olive Oil, Corn or Grain, Wine, Brandy, Tobacco, Wool, Shumac, Madders, Madder Roots, Barilla, Brimstone, Bark of Oak, Cork, Oranges, Lemons, Linseed, Rape Seed, and Clover Seed, shall not be imported into the United Kingdom to be used therein, except in *British* ships, or in Ships of the Country of which the Goods are the Produce, or in Ships of the Country from which the Goods are imported.¹

This list, strange and peculiar as it appears to us a half-century removed from the particular motives that caused the inclusion of each article in its odd jumble, is found again in the consolidation act of 1845, and was not finally struck from the statute-books until 1849, though it is quite probable that after 1833 the restrictions upon their importation had been greatly modified by treaty.

Here ends the tedious examination of details. It is fully apparent that the Navigation Act put no such harsh restriction upon European trade as is commonly stated. The consequences of those

(1) It will be noted that the enumerated articles and the goods of Russia and Turkey were almost all subject to the monopolies of the trading companies; so that the gradual opening up of these exclusive rights made more English carriers available for their transport.

(2) Disputes arose whether section viii. meant to limit the foreign ships exercising the privilege of carrying the enumerated goods to the ships of the very country of produce or to those of some country under the same sovereign. The law-officers several times gave their opinions that the privilege was limited to the very country as that country stood in 1660. In 22 Geo. III., C. 78, § 3, this privilege was extended to any ship "being the property of subjects under the same sovereign as the country of which such goods are the growth", etc., although not under that sovereign in 1660.

(3) Section viii. provided that a foreign ship to have the privilege of carrying the enumerated goods must be "of the built of that Country or place of which the said Goods are the growth". This varied from other parts of the navigation laws, where ownership was sufficient, the ship being built in some other country. In *Scott vs. d'Achez*, however, the section was construed literally. This feature was relaxed by the act and section just quoted, by which it was sufficient if the ship was the "property of subjects", etc.

(4) In addition to these last two ameliorations, which made more foreign carriers available for the enumerated goods, the double aliens' duties imposed upon them if entered in foreign ships (section ix. *supra*) were removed by 24 Geo. III., C. 16, which repealed all aliens' duties.

¹ 3 and 4 William IV., C. 54, § II.

sweeping statements have doubtless not been fully weighed. The difference is not one of degree merely but of principle. The ordinance of 1651, which alone applied these severe restrictions, struck a blow at English commerce with the continent far out of proportion to the protection it secured to English shipping. It was fortunate that it hardly got into operation before it became a nullity.

The distinction between commerce and the carrying-trade is well worth keeping in mind. In historic discussions of navigation laws the disputants have usually arrived at two opposite opinions; the opponents of the laws asserting that all legislation intended for the protection of shipping is hurtful to commerce, and that the true prosperity of shipping arises naturally from the greatest freedom of commerce; while the advocates have earnestly contended that in the long run the growth of shipping, by an expansion of commerce, more than makes up the temporary losses, although they have usually been driven to defend their position by referring to the dependence of naval power upon the merchant marine.

It is not necessary perhaps, for the purpose in hand, to take position on this recurring issue. It will bring out the desired point of view, however, to assert, of any two acts, that commerce may suffer under the one, and suffer more under the other. Thus the ordinance of 1651 was far more severe toward European commerce than was the Navigation Act. Not only were foreign carriers limited by the ordinance to carrying to England the produce of their own people; but English carriers were restricted, in their commerce with the four quarters of the globe, to shipping their cargoes solely in the place of production, growth, or manufacture, or in the usual place of first shipment; and not only were they prohibited the use of many convenient entrepôts of foreign goods, but if they should not be able to complete a cargo in the goods of the port in which they were loading, they had to sail light-freighted rather than take on any other goods if these happened to be the produce of some other country. The chance which the English importer, or the foreign exporter of European commodities to England, had of taking advantage of the cheapest, most convenient, and most available carriers was thus greatly reduced. The restriction upon carriers was so stringent as seriously to cramp commerce.

While the act of 1660, on the other hand, was probably as completely protective of English shipping, it did not deal so severely with the transactions of commerce. That it was equally protective to shipping is urged by a few writers,¹ who point out that the articles

¹ Adam Smith, *Wealth of Nations* (McCulloch's edition of 1839), 203; J. R. McCulloch, Note XI., in his edition of the *Wealth of Nations*, 530; W. S. Lind-

enumerated in section viii. were the bulky goods of commerce and gave rise to the greatest part of the ocean carrying-trade. From this freight the Dutch were effectually excluded. The importance of the bulky goods in the carrying-trade was certainly considered, and it is well pointed out by Sir Josiah Child in a passage which seems to me to refer partly to the articles enumerated in section viii.:

No trades deserve so much care to procure, and preserve, and encouragement to prosecute, as those that employ the most shipping, although the commodities transported be of small value in themselves; for, first, they are certainly the most profitable; for besides the gain accruing by the goods, the freight, which is, in such trades, often more than the value of the goods, is all profit to the nation, besides they bring with them a great access of power (hands as well as money) many ships and seamen being justly the reputed strength and safety of England.¹

That the act of 1660 was much more favorable to commerce needs little argument. It permitted foreign merchants in any part of Europe to take advantage of any carrier, of any nationality whatsoever, in sending to England any European goods whatever, except those of Russia and of Turkey and the articles enumerated; both foreign and English ships being free to make up cargoes of general merchandise, or complete their cargoes with greater freedom. Even the excepted goods could be shipped in the privileged vessels from any European port, and not exclusively from ports of the producing country. This difference between the principles of enumeration and of total restriction was an increasing one, for the growth of industry and other economic changes multiplied beyond measure the variety of articles in sea-borne commerce, while the enumerated list changed little.

Finally it may be said that there is the widest difference theoretically between the principle of 1651 and the principle underlying the act of 1660. The former principle, carried to its logical conclusion, in its extension and adoption by all nations, would result in the restriction of the carrying of any commodities, the objects of international trade, from the producing directly to the consuming nation in their own vessels exclusively; while the latter recognizes the feeling that international commerce ought in general to be free, and that restrictions are exceptional. DUDLEY ODELL MCGOVNEY.

say, *History of Merchant Shipping and Ancient Commerce*, (4 vols., London, 1874), II. 189. These three writers give evidence of correct interpretation of the act. Smith's statement is brief, Lindsay's inaccurate in detail; McCulloch's is substantially correct. Blackstone, *Commentaries* (Cooley's ed.), I. 419, makes a brief but correct reference. A full and correct statement is found in the report on Commercial Regulations of Foreign Countries, submitted by President Monroe to the Senate, December 14, 1819, *American State Papers, Commerce and Navigation*, II. 199-334.

¹ *A New Discourse of Trade*, preface, xviii., first published in 1665. The reference is to the Glasgow edition of 1751.

DOCUMENTS

1. *Sketch of Pinckney's Plan for a Constitution, 1787.*

THE paper which is given below in the first column is found among the James Wilson manuscripts in the library of the Historical Society of Pennsylvania. Through the courtesy of the librarian, Mr. John W. Jordan, it is here reproduced. The original is in the handwriting of James Wilson. It is undoubtedly an outline of the plan of a constitution presented to the Federal Convention by Charles Pinckney May 29, 1787. In order that the reader may have the evidence before him, there are here given in the second column excerpts from Mr. Pinckney's *Observations on the Plan of Government Submitted to the Federal Convention, in Philadelphia, on the 28th of May, 1787*. The pamphlet containing the *Observations* was printed, or at least distributed, soon after the Convention adjourned.¹ It does not purport to be a speech delivered at the time of submitting the plan to the Convention, but to be made up of remarks "Delivered at different Times in the course of their Discussions".

One or two questions are naturally raised by the inspection of this outline. The readers of the REVIEW will remember that in Volume VIII., pages 509-511, was printed a document which was sent in for publication by Professor J. F. Jameson.² The document was confidently believed to be part of the Pinckney plan, and the finding of the outline below confirms the conclusion, if confirmation were needed. In these two documents we have Wilson's treatment of the plan at two different times. The outline here printed was probably prepared early in the proceedings of the Convention; the other paper consists of excerpts chiefly referring to powers of Congress, and the excerpts were made, it is fair to presume, when Wilson, having been appointed on the Committee of Detail, found the resolutions that had been referred to the committee wanting in particularity concerning the powers to be exercised by the new government. In making the excerpts for his own purposes, Wilson did not exactly follow the order in which the subjects appeared in the plan.

¹ See Madison to Washington, New York, October 14, 1787, *Writings of Madison*, I. 342.

² Also printed in *Annual Report of the American Historical Association, 1902*, I. 130-131.

In the paper entitled "Studies in the History of the Federal Convention of 1787", which was contributed to the *Annual Report of the American Historical Association, 1902* (I. 87), Professor Jameson ingeniously examines the opinions of Pinckney as expressed in the earlier part of the Convention's proceedings, and, neglecting the claims which the South Carolina statesman put forth in later years, and likewise not paying particular regard to the *Observations*, he indicates the ideas which Pinckney evidently advocated. These were of course at variance with the pseudo plan as presented in the journal of the Convention, but were not in most particulars, it should be noticed, out of harmony with the declaration of the *Observations*. Pinckney's notions, as disclosed by Jameson's method, distinctly add to the evidence that the outline before us is a synopsis of the Pinckney plan. In order to make this appear more clearly I have added in foot-notes excerpts from Pinckney's speeches as condensed by Madison and by others who reported on the debates.

Remembering the gracious assurance with which Pinckney in 1818 sent to John Quincy Adams propositions for a new constitution, which were strikingly similar to the finished instrument, one is naturally somewhat hesitant to believe anything the distinguished statesman said concerning his services in the Convention. And yet it seems that we must now give greater credence to the *Observations* than has been given in the past. Perhaps he did not say everything contained in that pamphlet; possibly he did not say much of it; Professor Jameson¹ is of the opinion that only one paragraph, the next to the last,² "was ever heard in Independence Hall".³ It seems very probable however that at least one other part of the *Observations* was actually delivered. In the condensation of a speech made by Pinckney on June 8,⁴ Madison has preserved the order and in several cases almost reproduced the striking phraseology found in the fourteenth and fifteenth paragraphs of the *Observations*,⁵ urging that the national legislature should have the power to negative state laws. But whatever may be the relation between the pamphlet and what Pinckney actually said in the Convention, it is impossible not to believe that the relation between the *Observations* and the lost plan is very close. There is strong, if not conclusive, evidence that all or large portions of the pamphlet were prepared, as comments on the plan, perhaps before Pinckney went to Philadelphia. That they were afterward dressed up for publication, and that

¹ *Ibid.*, I. 121.

² *Observations*, 26-27.

³ Pinckney's speech on July 2, *Documentary History of the Constitution*, III. 263.

⁴ *Ibid.*, III. 88.

⁵ *Observations*, 12-17.

certain ideas were inserted which were really the outgrowth of the Convention's work and not original with Pinckney, is quite within the range of likelihood. For example, it still seems more than probable that the original plan did not contain the provisions spoken of by Pinckney on page 26 of his pamphlet:

The next Article provides for the privilege of the Writ of Habeas Corpus—the Trial by Jury in all cases, Criminal as well as Civil—the Freedom of the Press, and the prevention of Religious Tests, as qualifications to Offices of Trust or Emolument. . . . There is also an authority to the National Legislature, permanently to fix the seat of the general Government, to secure to Authors the exclusive right to their Performances and Discoveries, and to establish a Federal University.

The reasons for believing that these provisions were not in the plan are given by Jameson, and are conclusive.¹ When Pinckney was preparing his pamphlet for the printer, he thrust in not only the comments on his plan of May 29, but those other provisions which he had proposed and advocated as late as August 20.

And yet a comparison of the outline and the pamphlet shows that in most respects the speech as given in the *Observations* was a comment on the plan. We are led by the outline to believe that the speech was prepared in good faith and that in most respects it really described the plan which he presented. On the other hand, the outline below does not give merely a synopsis of the *Observations* as printed; there are variations, not serious, but sufficient to show that Wilson in writing this document did not have the written speech or printed pamphlet before him. The most puzzling variation is in the numbering of the paragraphs. The third paragraph of the outline is called the fourth in the *Observations*. The ninth of the outline is called the fifth in the *Observations*. After mentioning the fifth, the *Observations* speaks of two articles consecutively, numbered in the outline ten and eleven, and then speaks of the "seventh", which of course ought to have been eighth, had Pinckney's genius for accuracy allowed him to count correctly. The reader will notice, however, that on the whole there is a marked similarity in the succession of the articles: number nine of the plan is five in the *Observations*; then follow in order the articles numbered in the outline ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, nineteen, twenty, twenty-one, twenty-two. An article on naturalization, if it was in the original plan, as one would judge from the *Observations*, is omitted, but there then follows twenty-three, called in the *Observations* "sixteen". To account for such discrepancy as exists is difficult, and an attempt to explain it would be only to

¹ *Annual Report of the American Historical Association, 1902, I. 122, 123.*

hazard a guess. My guess would be that the plan which Pinckney had before him when he prepared the *Observations* was somewhat differently numbered than the one finally filed with the secretary of the Convention.

Pinckney says in concluding his speech as it appears in the pamphlet: "I ought again to apologize for presuming to intrude my sentiments upon a subject of such difficulty and importance. It is one that I have for a considerable time attended to".¹ He had in fact, as a member of Congress, taken this subject of improving the Confederation into serious consideration. In May, 1786, he moved in the Continental Congress the appointment of a grand committee "to take into consideration the affairs of the nation"²; he declared that it was necessary that Congress should have greater powers, that a convention should be called for the purpose, or that Congress should call on the states for enlarged authority. He said "that the confederation was deficient in powers of commerce, in raising troops, and in the means of executing those powers that were given".³ No trace of the discussion of this subject can be discovered in the official papers. Some time early in July⁴ a grand committee was appointed to consider the affairs of the Union. This committee reported August 7, 1786.⁵ It is probable that Pinckney was its chairman. As to this it is difficult to determine, because no mention is made of the committee in the manuscript journal of the old Congress; the manuscript committee-book shows the names arranged in the order of states, running from north to south. The committee appointed a subcommittee of three, of which Pinckney was chairman.⁶ The subcommittee drew up a report, in the preparation of which we may be permitted to think Pinckney had a considerable part. The grand committee accepted and presumably reported the findings of the subcommittee as its own.⁷ The introductory words, as they appear in the original manuscript, are written apparently in Pinckney's hand, a fact worth mentioning only as an indication of his activity. A

¹ *Observations*, 27; Frank Moore, *American Eloquence* (New York, 1862), I, 370.

² See Bancroft, *History of the Formation of the Constitution* (New York, 1882), I, 500, where is quoted Thomas Rodney's report of debates in Congress.

³ *Ibid.*

⁴ I judge that the date was early in July from the place in which the entry appears in the manuscript committee-book, in *Papers of the Continental Congress*, CXC, 107.

⁵ The original report of this committee is in *Papers of the Continental Congress*, XXIV., Part I., 179-194, Reports of Committees. It is printed in Bancroft, *History of the Constitution*, II., appendix, 373-377. The date of making the report is obtained from the indorsement on the back of the last sheet, as is also the fact that a subcommittee of three, of which Pinckney was chairman, was appointed. This indorsement is printed by Bancroft.

⁶ *Ibid.*

⁷ *Ibid.*

comparison of the report with the *Observations* and the outline printed below will show that Pinckney was much influenced by his work in the Continental Congress. Did he in large measure embody in his new plan the amendments he had been working on and discussing the previous summer? The quotations given in the foot-notes will aid in answering that question. It will be noticed that he plainly used at least a portion of the report, and it is fair perhaps to believe that his work in the Federal Convention was but a continuation of his work in Congress. In the Convention, however, he had opportunity to propose more radical alterations, and probably the dreary autumn and winter that preceded the meeting at Philadelphia had taught him, as it had taught others, the need of changing the first principles of the system. After arranging for a better form of government, did he not put in much of the seven articles which constituted the report of August 7, 1786?

The portion of the plan which Professor Jameson discovered contains not less than twenty propositions that are found in the report of the Committee of Detail and that are not found in the twenty-three resolutions submitted to the committee, nor in the Virginia or Paterson resolutions.¹ Six of these were presumably taken by Pinckney from the Articles of Confederation. It might possibly also be reasonable to add the power to levy duties on imports and the power to regulate commerce, which were also in the Paterson plan, inasmuch as Pinckney's plan was submitted first; but such ideas were practically common property in 1787. In the document, which is printed in facsimile in Meigs's *Growth of the Constitution in the Federal Convention of 1787*² (Philadelphia, 1900), and which Mr. Meigs has shown to be a draft made by Randolph for the use of the Committee of Detail, thirteen of these twenty propositions appear.³ Of these, four are written in the margin or interpolated in the text in John Rutledge's remarkable handwriting, which is chary about surrendering its secrets. By the help of the outline given below, we can detect other interpolations by Rutledge seemingly taken from Pinckney: (a) the words "by Ballot" in the sentence "who shall be elected by the legislature by Ballot"⁴; (b) "nor lay imposts or duties on imports"⁵; (c) "the consent of the

¹ AMERICAN HISTORICAL REVIEW, VIII. 509; *Annual Report of the American Historical Association*, 1902, I. 130-131. To the provisions printed in italics in the plan on pages 130-131 should be added "fixing the Standard of Weights and Measures". See page 132, note a.

² The nine plates inserted between pages 316 and 317.

³ *Annual Report of the American Historical Association*, 1902, I. 132.

⁴ Meigs, plate vi.

⁵ *Ibid.*, plate v; Report of Committee, article xiii.

Legislatures of such States shall be also necessary to its admission", which is presumably the result of Rutledge's marginal note, "States lawfully arising and if within the Limits of any of the pres[en]t States by Consent of the Legisl^s of those States".¹ To these possibly may be added (d) "cases of Admiralty . . . jurisdiction", certainly interpolated by Rutledge,² and perhaps taken from Pinckney.³ It might be fair to add to these the provision for calling a convention for amending the Constitution on the application of the legislatures of two-thirds of the states. In other words, besides the four previously mentioned by Jameson, three and perhaps four of Pinckney's propositions are thus seen working their way into the report of the committee. All but the first, after some verbal modification, found a place in the Constitution.

We may next notice that in the report of the Committee of Detail are two other provisions that may be ascribed to the influence of the Pinckney plan: (a) the provision for the time of election of members of each house⁴; (b) the provision for the meeting of Congress.⁵ But there are a number of other provisions, which Pinckney borrowed from the Articles of Confederation and which, presumably through the medium of his plan, found their way into the report of the committee: the clause granting to the citizens of each state the privileges and immunities of citizens in the various states; the provision for the surrender of criminals, which was also in the Paterson plan; the provision that each state shall give full faith to acts, records, and judicial proceedings of other states; the provision that no state shall make treaties; that no state shall keep a naval or land force; that Congress shall have the right to regulate the value of money and its alloy. All of these with some modification entered into the Constitution. We should notice also that the Committee of Detail reported in favor of having the Senate establish a court of final resort for trial of cases between states, almost a direct copy of the provision in the Articles of Confederation and appearing as article fourteen of the Pinckney plan, but of course not going into the final draft of the Constitution. There is some indication in the outline before us that at least two other provisions which finally appeared in the Constitution were in a measure due to Pinckney's suggestion.

By help of the condensation of the plan which Professor Jameson discovered and from the light thrown on the problem by the

¹ Report of Committee, article xvii; Meigs, plate vii.

² Report of Committee, article xi, section 3; Meigs, plate vii.

³ See article 15 below.

⁴ Report of Committee, article vi, section i.

⁵ *Ibid.*, article iii.

document printed below, we can say that Pinckney suggested some thirty-one or thirty-two provisions which were finally embodied in the Constitution; of these, about twelve were originally in the Articles of Confederation, and of course the fact that they were restated by Pinckney in his plan may not have had material influence in securing their adoption.

It must not be assumed that we know all that Pinckney thus contributed to the fabric of the Constitution. We now know very definitely the nature of his recommendations, we know that some of them found formulation in the Continental Congress, and we know that many of them were finally embedded in the Constitution; but there were doubtless some other propositions that likewise found permanence in the work of the Convention. If mere assertion based on analogy and general probability were worth while, other portions of the Constitution might be pointed to as coming from the ingenious and confident young statesman from South Carolina.

OUTLINE OF THE PLAN.

1. A Confederation between the free and independent States of N. H. etc. is hereby solemnly made uniting them together under one general superintending Government for their common Benefit and for their Defense and Security against all Designs and Leagues that may be injurious to their Interests and against all Forc[e] [?]¹ and Attacks offered to or made upon them or any of them

2 The Stile

3 Mutual Intercourse — Community of Privileges — Surrender of Criminals — Faith to Proceedings etc.

EXCERPTS FROM THE OBSERVATIONS.

. . . their true interest consist in centering as much as possible, the force and resources of the union in one superintending Government (p. 14).¹

The 4th article, respecting the extending the rights of the Citizens of each State, throughout the United States; the delivery of fugitives from justice, upon demand, and the giving full faith and credit to the records and proceedings of each, is formed exactly upon the principles of the 4th article of the present Confederation, except with this difference, that the demand of the Executive of a State, for any fugitive, criminal offender, shall be complied with (p. 11).

¹ Page references are to the pamphlet. The passages can readily be found in the reprint in Moore's *American Eloquence*, I. 362-370.

² Or Foes.

4 Two Branches of the Legislature — Senate — House of Delegates — together the U. S. in Congress assembled

H. D. to consist of one Member for every thousand Inhabitants $\frac{3}{5}$ of Blacks included¹

Senate to be elected from four Districts² — to serve by Rotation of four Years — to be elected by the H. D. either from among themselves or the People at large³

5 The Senate and H. D. shall by joint Ballot annually⁴ chuse the Presid^t U. S. from among themselves or the People at large. — In the Presd^t the executive authority of the U. S. shall be vested. — His Powers and Duties — He shall have a Right to advise with the Heads of the different Departments as his Council

The division of the legislative will be found essential, because, in a government where so many important powers are intended to be placed, much deliberation is requisite (p. 8).

The Senate, I propose to have elected by the House of Delegates, upon proportionable principles, in the manner I have stated, which though rotative, will give that body a sufficient degree of stability and independence. The districts, into which the Union are to be divided, will be so apportioned, as to give to each its due weight, and the Senate, calculated in this, as it ought to be in every Government, to represent the wealth of the Nation . . . each class being elected for four years (p. 9).

The executive should be appointed septennially, but his eligibility ought not to be limited (p. 9).

¹ On June 11 (*Doc. Hist.*, III. 107) Pinckney moved that the ratio of representation be "in proportion to the whole number of white and other free Citizens and inhabitants of every age sex and condition including those bound to servitude for a term of years and three fifths of all other persons not comprehended in the foregoing description, except Indians not paying taxes, in each State." Compare his attitude on July 6 and 12 (*ibid.*, 283, 324). He advocated the election of the first branch "by the State Legislatures and not by the people" (*ibid.*, 69).

² On July 2 (*ibid.*, 264) Pinckney "read his motion to form the States into classes, with an apportionment of Senators among them". Madison adds as a note "see art. 4 of his plan". Pierce says (Pierce's notes in *AMERICAN HISTORICAL REVIEW*, III. 319), "Mr Ch^r Pinckney said he meant to propose to divide the Continent into four Divisions, out of which a certain number of persons sh^d be nominated, and out of that nomination to appoint a Senate."

³ Apparently in accordance with this proposition, on June 1, when the proposal that the Senate should be chosen by the first branch out of persons nominated by the state legislatures was being discussed, Pinckney moved to strike out the clause providing for "nomination by the State Legislature" (*Doc. Hist.*, III. 31).

⁴ In the Convention Pinckney favored having the executive consist of a single person (*ibid.*, 35, 51) and strongly advocated his being elected by the legislative body (*ibid.*, 355), but proposed a seven-year term (*ibid.*, 39), instead of the one-year term provided for here. It is very probable, however, that the word "annually" indicates a mistake by Wilson in jotting down the plan; in the *Observations* Pinckney used the word "septennially".

6 Council of Revision, consisting of the Presid^t S. for for. Affairs, S. of War, Heads of the Departments of Treasury and Admiralty or any two of them tog^r w^t the Presid^t.¹

7 The Members of S. and H. D. shall each have one Vote, and shall be paid out of the common Treasury.

8 The Time of the Election of the Members of the H. D. and of the Meeting of U. S. in C. assembled.

9 No State to make Treaties — lay interfering Duties — keep a naval or land Force Militia excepted to be disciplined etc according to the Regulations of the U. S.

¹ "M^r Pinckney had been at first in favor of joining the heads of the principal departm^{ts} the Secretary at War, of foreign affairs and—in the council of revision. He had however relinquished the idea from a consideration that these could be called on by the Executive Magistrate whenever he pleased to consult them" (*Doc. Hist.*, III. 78-79).

In the Parliament of Great-Britain, as well as in most, and the best instituted legislatures of the States, we find, not only two Branches, but in some, a Council of Revision, consisting of their executive, and principal officers of government. This, I consider as an improvement in legislation, and have therefore incorporated it as a part of the system. It adds to that due deliberation, without which, no act should be adopted; and, if in the affairs of a State government, these restraints have proved beneficial, how much more necessary may we suppose them, in the management of concerns, so extensive and important? (pp. 8-9.)

The assigning to each State its due importance in the federal Councils, at once removes three of the most glaring defects and inconveniencies of the present Confederation. The first is, the inequality of Representation: the second is, the alteration of the mode of doing business in Congress; that is, voting individually, and not by States: the third is, that it would be the means of inducing the States to keep up their delegations by punctual and respectable appointments (pp. 7-8).

There is also in the Articles, a provision respecting the attendance of the Members of both Houses; it is proposed that they shall be the judges of their own Rules and Proceedings, nominate their own Officers, and be obliged, after accepting their appointments, to attend the stated Meetings of the Legislature (p. 25).

The 5th article, declaring, that individual States, shall not exercise certain powers, is also, founded on the same principles as the 6th of the Confederation (p. 11).

10. Each State retains its Rights not expressly delegated¹ — But no Bill of the Legislature of any State shall become a law till it shall have been laid before S. and H. D. in C. assembled and received their Approbation.²

11. The exclusive Power of S. and H. D. in C. Assembled

12. The S. and H. D. in C. ass. shall have exclusive Power of regulating trade and levying Imposts — Each State may lay Embargoes in Times of Scarcity³

13 — of establishing Post-Offices

The next, is an important alteration of the Federal System, and is intended to give the United States in Congress, not only a revision of the Legislative acts of each State, but a negative upon all such as shall appear to them improper (p. 12).

I must confess, I view the power of revision and of a negative as the corner stone of any reform we can attempt (p. 13).

The next article, proposes to invest a number of exclusive rights, delegated by the present Confederation (p. 17).

The 7th article invests the United States, with the compleat power of regulating the trade of the Union, and levying such impost and duties upon the same, for the use of the United States, as shall, in the opinion of Congress, be necessary and expedient (p. 17).

The 8th article only varies so far from the present, as in the article of the Post-Office, to give the Federal Government a power, not only to exact as much postage, as will bear the expence of the Office, but also, for the purpose of raising a revenue (p. 18).

¹ Compare "No position appears to me more true than this; that the General Gov^t can not effectually exist without renewing to the States the possession of their local rights", from Finckney's speech of June 25 (*ibid.*, 207).

² "M^r Pinkney moved 'that the National Legislature sh^d have authority to negative all Laws which they sh^d judge to be improper' " (*ibid.*, 88).

³ Compare this section of the plan with the italicized portions of the following proposed amendment to the Articles of Confederation, reported by the committee of the Continental Congress referred to above :

" Art. 14. *The United States in congress assembled shall have the sole and exclusive power of regulating the trade of the states as well with foreign nations as with each other, and of laying such prohibitions, and such imposts and duties upon imports and exports, as may be necessary for the purpose; provided the citizens of the states shall in no instance be subjected to pay higher duties and imposts than those imposed on the subjects of foreign powers; provided, also, that all such duties as may be imposed shall be collected under such regulations as the United States in congress assembled shall establish consistent with the constitutions of the states respectively, and to accrue to the use of the state in which the same shall be payable; provided, also, that the legislative power of the several states shall not be restrained from laying embargoes in times of scarcity; and provided, lastly, that every act of congress for the above purpose shall have the assent of nine states in congress assembled, and in that proportion when there shall be more than thirteen in the union.*" Bancroft, *History of the Constitution of the United States*, II., appendix, 374.

14. S. and H. D. in C. ass. shall be the last Resort on Appeal in Disputes between two or more States; which Authority shall be exercised in the following Manner etc

15. S. and H. D. in C. ass. shall institute offices and appoint officers for the Departments of for. Affairs, War, Treasury and Admiralty.

They shall have the exclusive Power of declaring what shall be Treason and Misp. of Treason ag^t U. S.—and of instituting a federal judicial Court, to which an Appeal shall be allowed from the judicial Courts of the several States in all Causes wherein Questions shall arise on the Construction of Treaties made by U. S.—or on the Laws of Nations—or on the Regulations of U. S. concerning Trade and Revenue—or wherein U. S. shall be a Party—The Court shall consist of Judges to be appointed during good Behaviour²—S and H. D. in C. ass. shall have the exclusive Right of instituting in each State a Court of Admiralty, and appointing the Judges etc of the same for all maritime Causes which may arise therein respectively

The 9th article respecting the appointment of Federal Courts, for deciding territorial controversies between different States, is the same with that in the Confederation¹; but this may with propriety be left to the Supreme Judicial (p. 18).

The 10th article gives Congress a right to institute all such offices as are necessary for managing the concerns of the Union; of erecting a Federal Judicial Court, for the purposes therein specified; and of appointing Courts of Admiralty for the trial of maritime causes in the States respectively. . . . At present there is no Tribunal in the Union capable of taking cognizance of their officers who shall misbehave . . . for this, as well as the trial of questions arising on the law of nations, the construction of treaties, or any of the regulations of Congress in pursuance of their powers, or wherein they may be a party, there ought certainly to be a Judicial, acting under the authority of the Confederacy (pp. 18-19).

¹The ninth article of the Articles of Confederation made the United States in Congress assembled "the last resort on appeal in all disputes and differences . . . between two or more States . . . which authority shall always be exercised in the manner following."

²Pinckney was in favor of having the judges appointed by the legislative body (*Doc. Hist.*, III. 64, 117, 400).

Compare the foregoing provisions in the second paragraph of this section of the plan with the italicized portions of the following proposed additional Article of Confederation reported by the committee of the Continental Congress referred to above:

"Art. 19. The United States in congress assembled shall have the sole and exclusive power of declaring what offences against the United States should be deemed treason and what offences against the same misprision of treason, and what offences shall be deemed piracy or felonies on the high seas, and to annex suitable punishments to all the offences aforesaid respectively, and power to institute a federal judicial court for trying and punishing all officers appointed by congress for all crimes, offences, and misbehavior in their offices, and to which court an appeal shall be allowed from the judicial courts of the several states in all causes wherein questions shall arise on the meaning and construction of treaties entered into by the United States with any foreign power, or on the law of nations, or wherein any question shall arise respecting any regulations that may hereafter be made by congress relative to trade and commerce, or the collection of federal revenues pursuant to powers that shall be vested in that body, or wherein questions of

16. S and H. D. in C. Ass shall have the exclusive Right of coining Money — regulating its Alloy and Value — fixing the Standard of Weights and Measures throughout U. S.

17. Points in which the Assent of more than a bare Majority shall be necessary.¹

18 Impeachments shall be by the H. D. before the Senate and the Judges of the federal judicial Court.

19. S. and H. D. in C. ass. shall regulate the Militia thro' the U. S.

20. Means of enforcing and compelling the Payment of the Quota of each State.

21. Manner and Conditions of admitting new States.

The exclusive right of coining Money — regulating its alloy, and determining in what species of money the common Treasury shall be supplied, is essential to assuring the Federal Funds (p. 19).

In all those important questions where the present Confederation has made the assent of Nine States necessary, I have made the assent of Two-Thirds of both Houses, when assembled in Congress, and added to the number, the Regulation of Trade, and Acts for levying an Impost and raising a Revenue (p. 20).

The exclusive right of establishing regulations for the Government of the Militia of the United States, ought certainly to be vested [vested], in the Federal Councils . . . an uniformity in Discipline and Regulations should pervade the whole . . . they should have the exclusive right of establishing regulations for their Government and Discipline (pp. 20-21).

In every Confederacy of States, formed for their general benefit and security, there ought to be a power to oblige the parties to furnish their respective quotas (p. 21).

The article empowering the United States to admit new States into the Confederacy is become indispensable, from the separation of

importance may arise, and the United States shall be a party, provided that the trial of the fact by jury shall ever be held sacred, and also the benefits of the writ of habeas corpus; provided, also, that no member of congress or officer holding any other office under the United States shall be a judge of said court, and the said court shall consist of seven judges, to be appointed from the different parts of the union, to wit, one from New Hampshire, Rhode Island, and Connecticut, one from Massachusetts, one from New York and New Jersey, one from Pennsylvania, one from Delaware and Maryland, one from Virginia, and one from North Carolina, South Carolina, and Georgia, and four of whom shall be a quorum to do business." Bancroft, *History of the Constitution of the United States*, II., appendix, 376-377.

¹ Compare this section and the accompanying excerpt from the *Observations* with the last provision of the proposed additional Article of Confederation, given above on page 744.

22. Power of dividing annexing and consolidating States, on the Consent and Petition of such States.¹

23. The assent of the Legislature of States shall be sufficient to invest future additional Powers in U. S. in C ass. and shall bind the whole Confederacy.²

24. The Articles of Confederation shall be inviolably observed, and the Union shall be perpetual³: unless altered as before directed

25. The said States of N. H. etc guarantee mutually each other and their Rights against all other Powers and against all Rebellion etc.

¹ If the *Observations* are to be relied on, as of course they cannot in all particulars, an article giving the national government power to determine on what terms naturalization might be granted should be here inserted.

² "Mr. Pinkney hoped that in case the experiment should not unanimously take place, nine States might be authorized to unite under the same Government" (*Doc. Hist.*, III. 67.)

³ In the original appears a cross, above the line, before "and" and also after "perpetual", thus indicating presumably that the writer of the outline had noticed that the thought of the paragraph was not consistent, and that the phrase between the crosses should come later, bringing the last phrase, "unless altered as before directed", closer to "inviolably".

certain districts from the original States, and the increasing population and consequence of the Western Territory (p. 22).

I have also added an article authorizing the United States, upon petition from the majority of the citizens of any State, or Convention authorized for that purpose, and of the Legislature of the State to which they wish to be annexed, or of the States among which they are willing to be divided, to consent to such junction or division, on the terms mentioned in the article (p. 22).

The 16th article proposes to declare, that if it should hereafter appear necessary to the United States to recommend the Grant of any additional Powers, that the assent of a given number of the States shall be sufficient to invest them and bind the Union as fully as if they had been confirmed by the Legislatures of all the States (p. 23).

2. *Papers Bearing on James Wilkinson's Relations with Spain, 1787-1789.*

IN the article "Wilkinson and the Beginnings of the Spanish Conspiracy" in the April number of the REVIEW,¹ allusion is made to a communication of General James Wilkinson addressed to Miró, the Spanish governor at New Orleans, which Wilkinson framed as a response to the decision of the Council of State in Spain on the propositions submitted in his memorial of August 21, 1787. The attitude assumed by the Spanish government, and the change in local circumstances within the United States since 1787, led Wilkinson to prepare what was practically a second memorial, though in the form of an ordinary letter to Miró. Herein he brings forward an apparently simple scheme for the encouragement of emigration to Louisiana from the American settlements south of the Ohio. The real purpose was so to diffuse the Spanish influence among the Kentuckians in particular that, when they had withdrawn from the jurisdiction of Virginia, they might be ready to establish a close connection with Spain by a commercial treaty, a formal alliance, and eventually perhaps by the conversion of Kentucky, and possibly Tennessee, into a Spanish province. Wilkinson thereupon devised a plan of wholesale bribery in order to pledge the influential men in the Kentucky and Tennessee region to the Spanish cause, or at least to render their opposition innocuous; and incidentally prepared a list of suitable pensioners, with their prices affixed.

In his statement to Congress, speaking of his connection with the Spanish colonial government in New Orleans about 1789, Daniel Clark says (*Proofs, appendix*, 105): "I remember . . . to have seen a list of names of citizens of the western country, which was in the hand writing of the General [*i. e.* Wilkinson], who were recommended for pensions, and the sums proper to be paid to each were stated; and I then distinctly understood that he and others were actually pensioners of the Spanish government." In refutation of this assertion Wilkinson observes (*Memoirs*, II. 113): "It was at this time, I presented a list of respectable names as emigrants, to give consistency to my propositions; and this is, in all human probability, the list of which Mr. Clark may have heard a whisper, when a clerk in the Spanish secretary's office, and which he has converted into a list of pensioners." Not only does Wilkinson thus flatly contradict Clark's statement, but he declares (*cf. ibid.*, 112) that he submitted the list to Governor Miró on the occasion of his first visit to New Orleans in 1787, and not in 1789 as Clark avers.

¹ VIII. 501, note 1.

Researches in the archives of Spain have demonstrated the truth of both of Clark's contentions. We there find the answers of the Spanish council to his first memorial, the letter to Miró of which I have just spoken, and also another letter to Miró and enclosed in it the "list" in question. Spanish translations of these documents are in the National Historical Archives at Madrid, Estado, Legajo 3898 B, and in the Archives of the Indies at Seville, Audiencia de Santo Domingo, Estado 86, Cajon 6, Legajo 17. The letters themselves, as preserved in both repositories, are the same, but the respective "lists" show slight verbal differences in the translation.

WILLIAM R. SHEPHERD.

I. DECISION OF THE COUNCIL OF STATE ON WILKINSON'S FIRST MEMORIAL.¹

Supreme Council of State.

November 20, 1788.

All members present.

The synopsis furnished by Don Antonio Valdes² of the general matter of encouraging immigrants to the province of Louisiana or of admitting them having been examined, it was decided :

That of the two propositions submitted by Brigadier Wilkinson, of which in substance the first suggests that the king should receive the inhabitants of the Kentucky region as subjects and take them and their territory under his protection, while the second sets forth that the inhabitants of Kentucky and the other settlements [along the rivers] emptying into the Ohio, who might desire to emigrate to Louisiana should be allowed to settle in that province ; it being inadvisable to consider the first until the Kentuckians attain the independence from the United States to which they aspire, although they should not be suffered to lose hope that in case of success they would be admitted [as subjects], the second project should be adopted, and that all be allowed to enter as settlers who might come of their own accord, or might be brought by the brigadier aforesaid, with their families, property, and cattle, exclusive of mere vagabonds, and granting to the settlers the private enjoyment of the religious faith they profess, though not the public observance of it, for the churches must all be Catholic, with Irish Catholic priests and clergy.

That property of every kind, cattle, and produce, and even marketable commodities, brought from Kentucky and the Ohio country by families or individuals who may come to settle in the territory of that province, are to be exempt from all duties and imposts upon their first entry, without reference to the duty of 25 per cent. levied³ upon the produce of

¹ Archivo Histórico-Nacional, Madrid, Estado, Legajo 3893 A.

² The minister of war and treasury of the Indies.

³ This was the rate fixed by the Spanish government in the orders sent to Miró concerning the scheme of colonization offered by Pierre Wouves d'Argès. See the note following. Archivo Histórico-Nacional, Estado, Legajo 3893 A. Florida Blanca to Valdes, August 3 and 20, 1787 ; Valdes to Miró, August 23, 1787.

Kentucky; but they shall be subject later to the payment of the usual duties as established, upon exportation.

That henceforth a duty of 15 per cent., instead of 25 per cent., as imposed by previous order, shall be levied upon the inhabitants of Kentucky who elect to remain there and ship produce by the Mississippi to New Orleans, this produce being subject later to the payment of the regular export duties in case it is reshipped elsewhere; and that the governor of the province is to be authorized at his discretion to make any reduction he pleases of this 15 per cent. for the benefit of prominent persons who may request this favor, so as to preserve the attachment of those already well inclined to our government, and similarly to dispose the remaining ones, it being understood that they are to be favored in all possible ways under the actual circumstances, and that they will continue to be favored whenever more opportune conditions appear.

That, although the propositions of Brigadier Wilkinson deserve the preference as being more practically advantageous, nevertheless, since M. Wouves d'Argès¹ also would be busied, as he has been, in promoting emigration to the aforesaid province, and since [his project] has been adopted by the government, he should not be abandoned; nor would it be decorous or befitting our good faith to put off and dismiss this d'Argès. But as there is a risk that in the performance one may clash with the other,² from which very pernicious disagreements might result, Governor Miró should be enjoined to try, with the greatest sagacity and tact, to reconcile the interests that bestir both, and to wean d'Argès from the idea of bringing emigrants from Kentucky, with the assurance that the king will reward his zeal as his conduct may warrant.³

That Brigadier Wilkinson shall be given a like hope of remuneration, while at the same time he is to be sounded guardedly so as to ascertain what his desires are.

And so far as the aforesaid Governor Miró and the subordinate officials of that government are concerned, if they distinguish themselves in zeal and ability, their promotion and reward will be duly considered.⁴

¹ Beginning in 1787 Louisiana became the object of many colonizing schemes promoted by Gardoqui, the Spanish minister to the United States, and by various private individuals. The most prominent of these persons were Colonel George Morgan of New Jersey, and Pierre Wouves d'Argès, formerly an officer in the French army. The Spanish government, it will be observed, had already approved the project of Wouves d'Argès, when Wilkinson's memorial arrived. For some account of this colonization movement see Gayarré, *Louisiana: Spanish Domination, 197 et seq.*

² I. e. Wilkinson with d'Argès.

³ These remarks and injunctions about Wilkinson and d'Argès are based upon a letter from Miró to Valdes, January 8, 1788, Archivo Histórico-Nacional, Madrid, Estado, Legajo 3983 A.

⁴ The entire decision was approved by the king December 1, 1788, and accordingly despatched to Miró. Archivo Histórico-Nacional, Madrid, Estado, Legajo 3893 A.

II. WILKINSON'S SECOND MEMORIAL.¹

NEW ORLEANS, September 17, 1789.

Sir:

I have determined to come down to this city because I want to further the interests of Louisiana, which I could do but blindly so long as I was in ignorance of the action of the court in regard to my memorial; and because I wished to tell you about certain delicate matters which, if discussed orally, might produce better results, assuring myself at the same time of my proper course of conduct in future. The issue has met my expectations, for I have had the satisfaction of learning upon my arrival that the orders which His Majesty has been pleased to give you, with the exception of one point, are in accordance with the soundest principles of good policy, and it was with the greatest complacency that I perceived that you yourself agreed with me in the chief matters of opinion. Yet, in spite of the singular satisfaction afforded me by the private conversations I have had with you, I believe it necessary to put my reflections in writing, which you may corroborate as you see fit and send with your approval to the minister, in order that when placed before His Majesty he may act as the royal pleasure dictates.

During the past winter certain events have occurred which have upset the original plan that I submitted to you and Mr. Navarro in my memorial of the year 1787, and consequently it seemed to be my duty to see whether the arrangement could be changed so as to render its execution more certain and assured, while the advantage to the crown remained the same. Prepossessions in favor of my first opinion, attachment to my own way of thinking, and doubts of my fitness to hit upon a proper method that would assure to His Majesty all the advantages desired, and that at the same time would remove any obstacle in the way of its prosecution, presented themselves to me as arduous difficulties, and for a long time they made me irresolute and perplexed. But from force of duty, which prevailed over every other consideration, I adopted the following plan: "It will be more useful to the court of Spain to lay aside the idea of receiving the people of Kentucky under the dominion of His Majesty, and to employ all indirect means to cause the separation of this section of country from the United States, which would likely be followed by a connection with Spain to the exclusion of any other power, Kentucky enjoying the right of local self-government; and at the same time to promote emigration to Louisiana." You will recollect that in my memorial I suggested this method as an alternative in case our chief and primary object did not succeed; but to justify it I am aware that various powerful motives must coincide, which it seems proper to set forth here. Permit me, therefore, to call your attention to the circumstances of the American Union at the period when I wrote my memorial, and you will observe that its government was weak, confused, and divided, powerless

¹ A translation of the Spanish copy found in Archivo Histórico-Nacional, Madrid, Estado, Legajo 3898 B. Cf. THE AMERICAN HISTORICAL REVIEW for April, 1904, 490, note 2.

to manage or to regulate the propensities of the smallest district ; but the present [form of government] set up by the recent Federal Convention, although untried and of doubtful success, has inspired the people in general with the loftiest hopes, because, without taking into consideration the innumerable causes that are likely to afford extreme hindrance to the beginnings of this government as well as to its progress, they allow themselves heedlessly to be carried away by the novelty, and ascribe to it all the strength of the most powerful monarchy. Such are the ideas and notions that prevail with the majority of men, whose imagination both habits and education have accustomed to wander without restraint or regulation, deaf to the voice of reason or philosophy, until some private misfortune or public calamity replaces them under the sway of sound thinking and mature reflection. To this cause one must attribute chiefly the suspension [of the movement] for the separation of Kentucky from the United States, although I cannot help remarking that the long silence of the court after the receipt of my memorial gave rise to fears which [as] I explained the people felt, and led to apprehensions among various prominent men already gained over to our party, because without any response from Spain we could not expose ourselves, ignorant as to whether or not she would sustain us, to the risk of entanglement with the Congress ; for in case of a negative we were ruined, obliged to expatriate ourselves or to place ourselves under the protection of Great Britain. The truth is that if the people of Kentucky were now as unanimous and conformable as when I made my first visit to Louisiana, we would have had nothing to fear from the power of the Congress ; but unfortunately, for the reasons that I have just mentioned and the propositions of Great Britain, they are divided in sentiment and policy, and although through my own activity and earnest endeavor I have won a decisive superiority among all classes of that section of country in favor of the interests of Spain, nevertheless the open attempt to destroy the government of the United States would have exposed the leaders of the party, and any interposition of the court of Spain in their behalf probably would have produced war between the two nations. What has been said I flatter myself will suffice to justify the opinion that emigration to Louisiana should be the object to which we ought henceforth to devote ourselves, and that it will be more to the interest of His Catholic Majesty to enter into an offensive and defensive alliance with the Americans [*i. e.* the Kentuckians] than to admit them as subjects, and to strengthen this view I add the following reflections :

I think that besides the benefits which will result from commercial intercourse, the important advantage of which Spain can assure herself by placing the Americans of the west under her dominion is to render them a barrier against the usurpations of Great Britain and the United States.

Whenever the people of Kentucky withdraw from the government of the United States, and declare themselves subject to Spain, it will behoove the dignity and honor of the king to take measures to protect them and to introduce the exercise of his own government, which by reason of the

local circumstances of a country so distant and so difficult of access would entail great expense in time of peace, which would become enormous in time of war with Great Britain or the United States: on the contrary, if the people of Kentucky were to withdraw from the United States, establish their government, and enter into a strong offensive and defensive alliance with His Catholic Majesty, these prodigious expenses would be avoided, and that section of country, bound by its own interests, would still continue to serve as a barrier for Louisiana and Mexico as fully as if it were under the jurisdiction of Spain; and the Congress would have no reason to justify any rupture with His Majesty, so that at one stroke the risk and the expense would be obviated, while at the same time the object would be as completely attained.

Emigration is what ought to occupy the position of preference over every other design, because it can be carried on by direct means without peril to individuals and without prejudice to the relations of Spain with the Congress; and if Louisiana becomes populous, as we hope, the misgivings now excited by the settlements along the Ohio will disappear, and the Spanish government may vary its policy as it sees fit according to its interests, compelling the inhabitants to subscribe to the conditions of alliance and commerce it may choose to dictate.

While the greatest exertion is being made in promoting emigration, secret and indirect agencies ought to be set at work to accomplish the above-mentioned separation and independence from the United States. To do so, the safest and most certain means is that of attracting to us the interest and regard of the influential men in the principal settlements; and for this purpose you should be authorized, under such restrictions as the court may deem necessary, to distribute pensions and rewards among the chief men in proportion to their influence, ability, or services rendered. The advantages that such a method can bring forth are unmistakable, as the courts and kingdoms of Europe have frequently found out, because, if drawn over to the Spanish interest, the men of influence among the Americans of the west will direct the course of opinion in their assemblies, and whether or not they may be able to effect the separation from the United States, they will always be in a position, by this means, to check any hostile intent upon the settlements in Louisiana, and to further emigration from among their own number. So far, by my personal efforts as well as by the influence of my friends, and with some sacrifices of my property, I have grounded these interests in Kentucky, but such a condition of affairs should not be confined to this region alone, but should be set up more or less in all the settlements along the Ohio, according as the nature of our business may require and the circumstances may afford opportunity. One may object, perhaps, that I am laying down a costly system of action, calculated to increase the fortunes of certain private individuals, rather than to further the interests of His Majesty: to which I will say that in the common occurrences of human life expenses are always proportionate to gains; that this is the usual method of ministers in political undertakings; that Great Britain now

has adopted it in its propositions made through the agency of Colonel Conolly¹; and that twenty or thirty thousand dollars, distributed annually with caution and good judgment among the Americans in their own country, may eventually save the crown twenty or thirty millions and a vast expanse of rich territories. To make this assertion clear, let us suppose that a body of 4,000 men with artillery should come down the Mississippi, and attack and capture Natchez: so long as you are ignorant of the exact number and precise objects of this warlike gathering, you would naturally apply to the captain-general [at Havana] for aid. He, if his forces allowed it, would assign 2,000 men to help you, but they certainly could not arrive in time to be of any assistance, since the blow would be dealt before the news could reach Havana. But how much will this movement of troops from Havana to Louisiana cost the court? Attempt to answer this question, and you will encounter an irrefragable argument in favor of my plan of action, and a complete answer to the objections which I suggested above to the contrary.

The designs of Great Britain, as well as the policy that the Congress may follow, alike concern His Catholic Majesty to the extent that the passing moments for working with vigor should not be lost. I do not doubt that Great Britain will continue its attention to this object, ready to seize the first advantage which presents itself. The Congress has an alternative, but it is hard to say whether it will confine its policy to the interests of the Atlantic states and abandon the western country to its fate, or whether it will strive to win the affection of the Westerners and strengthen their ties of connection with the United States. In the midst of the variety of arguments and opinions which have been offered on this question, the people are perplexed over its solution. My opinion is that the discordant and irreconcilable interests of the two sections of country absolutely prevent their real connection. Whenever the western settlements believe themselves to be in a condition to assert their independence, every measure that the Congress may take to retain this region will serve to precipitate the event that it wishes to avoid. Still, such is the thirst for power and dominion inherent in mankind, and so likely is the mental process of public bodies as well as of private individuals to encounter opposition caused by interested or ambitious projects, that I believe that the Congress may follow the latter plan; and in this case its first designs will be to check emigration to Louisiana, and to win over the prominent men of the western country to the interest of those of the Atlantic, which is the greatest obstacle and danger that we can apprehend for the success of our ideas; but as desperate maladies require desperate remedies, and the Congress will have no other alternative to restrain emigration, it will find itself compelled to render the citizens of the western settlements ill-disposed toward the subjects in Louisiana, secretly instigating the former to commit depredations on the frontier posts and settlements, which at one stroke will sever all friendly relations between the two sections of

¹ In the service of Lord Dorchester, the governor of Canada at the time.

country. I have no doubt that in appearance the Congress will respect the representations of the court of Spain, and that it will disapprove such outrages, issue proclamations, and offer rewards for the apprehension of the perpetrators; but at the same time the power will be there to resort to a special sort of connivance at such actions, and it will allow the authors to remain unpunished. Such intrigues are common in the European courts, and the matter of the Falkland islands, although not precisely the same, is not altogether inapplicable. Nor is the danger less to be feared that they¹ may intend to assure the predominant interests of the country, for under the new government many ministers and officials are likely to be appointed for the executive and judicial departments, and undoubtedly these will be chosen with every precaution from among the citizens of most ability and influence. If the Congress has these measures in mind and makes them effective, all our projects are ruined from the beginning, in which case the Americans of the west, far from being the friends of Spain, will become her enemies; and instead of forming a barrier for Louisiana and Mexico, they will busy themselves in conquering the one and attacking the other, before the disunion from the Atlantic states takes effect; but these arrangements in view of the slow progress of popular assemblies, and under the impulse of the business that should occupy the attention of the Congress during the infancy of the new government, will require much time; to seize this interval and to take advantage of the occasion are certainly the true policy of Spain, are my longings, are my desires; and my solemn supplications are that they should not be allowed to slip, and being ever ready on my part to work or to advise, I will promptly carry out your instructions.

Under such circumstances, it remains for you to determine whether it is of the greatest interest to the crown that you endeavor immediately to anticipate the intentions of the Congress and to overthrow the present designs of Great Britain; the moment is critical and if lost will produce the most fatal consequences. It is for you, sir, to determine the extent of the power and judgment vested in you by His Majesty, but I am decidedly of opinion that not a moment should be lost in taking measures to widen and strengthen generally the influence of Spain in the American settlements of the west, and that means be adopted immediately to win over to the actual service of His Catholic Majesty the distinguished "notables" of Kentucky, which by reason of its location, numbers, and flourishing condition is the most important of the American settlements to the west of the Appalachian mountains, and consequently merits the most particular attention. Let Spain, therefore, avail herself of the favorable impression already made there, and from that section of country as a center active and intelligent emissaries can diffuse her interests and extend her influence through the vast and scattered settlements of Cumberland, Franklin, Holstein,² New River, Green Briar, Tiger's Valley, Monongahela, Alleghany, and the settlements now form-

¹ The United States.

² Holston? [Ed.]

ing to the northwest of the Ohio on the rivers Muskingum and Miami. I am the more urgent on this point because several of the ablest and most zealous partizans of Spain, especially Mr. Sebastian, are resolved to emigrate to Louisiana, on which supposition I shall lose some of my most distinguished coadjutors, it not being in my power to hinder their purpose, since in it they consult their personal interest, and I cannot offer them any recompense adequate to the sacrifice they are likely to make by staying in Kentucky; because, sir, without feeling the undue desire to boast of my own merits, I can assure you in sacred truth that the zeal with which I have prosecuted this cause for two years has led me to take steps which have obliged me to give presents, to lend money, and to increase my private expenses, which fact has placed me in the most cramped and critical of situations; unable longer to maintain my personal influence in the same fashion, and that of many who coöperate with me, unless the government assists me. You know that the shipments of tobacco which I was permitted to make have brought me but little profit, and that I have suffered considerably from the destruction of boats, from the rain, and from the poor condition of the commodity, for a large part of it was rejected. I allude to this detail with extreme repugnance, but I am resolved to explain my position candidly, without giving vain hopes — with which observation I shall say nothing further on the subject.¹

I beg of you to pardon my boldness if I discuss the points in His Majesty's royal order which you have had the condescension to communicate to me in response to my memorial of 1787. I fancy that the great art of organizing political projects is to adapt them to the genius of the people among whom they are to be realized, and in this respect the ministry has worked with the greatest success.

The prudent precaution and judicious determination of the first article, in regard to the expectation that Kentucky will have declared itself independent before admitting it to any connection, are beyond all praise, and I flatter myself that I shall employ it with special advantage for our project.

The general admission of immigrants, with the exception of vagabonds, and the toleration of religion ought to be highly approved, and the extension of immigration and the exemption from duties in favor of the actual inhabitants were absolutely necessary; but I regret to see myself compelled to disapprove most expressly the general freedom of commerce allowed subject to the duty of fifteen per cent., because it will entail the most pernicious consequences from whatever point it be examined: it is expressly contrary to all the principles I have set forth on the subject, and it will prejudice directly the great objects of emigration and separation from the United States, because the people along the Ohio will pay very willingly the fifteen per cent. in order to enjoy freely the commerce of the Mississippi, since owing to the superiority of climate and soil, even with this detraction, they can sell the produce of the

¹ Cf. below, page 763.

country more cheaply than the inhabitants of Louisiana, and for these reasons will naturally prefer to stay in their present location. So as not to abuse unnecessarily your patience in the present matter, I beg of you to recall my letter of February 12,¹ in which I discussed this point at length: this commerce, therefore, ought to be absolutely prohibited, and the sooner the better, for it deprives me of the most powerful instruments that I can use to promote the wishes of His Majesty, and I fear it will upset all our plans.

The arrangement for the granting of lands is the most favorable for populating that could be devised; but in order to adapt it to the prominent men of Virginia, you ought to have the power in special cases to increase the quantity to 3,000 acres,² because many of them have from 100 to 300 negroes, and they have been accustomed to extensive grants ever since the first settlement of North America. The remainder of the royal order I find without exception to be very suitable for the end proposed.

Since the plan of assigning lands to immigrants meets my approval, in order to justify the apparent unsteadiness of my conduct I must explain to you the motives that led me to ask Mr. Gardoqui for 6,000 acres. You are well aware that I have always been opposed to the plan of Colonel Morgan:³ to frustrate this project, by preventing emigration to his settlement, which I regarded as dangerous to Louisiana and unbefitting the crown under the conditions of which he boasted, was one of the objects of my solicitude; to assure a refuge and a settlement for myself and friends, in case of misfortune, was the second motive; but the most important consideration that drove me to it was that of engaging my political associates in Kentucky in some interesting affair likely to show up their principles and opinions, which would serve as a guaranty of their faithfulness whenever tested or jeopardized, this being at the same time a recompense for the aid they had afforded me. This was the more necessary because I knew very well that one of these gentlemen, Mr. John Brown, would be our representative in the new Congress, in which it was indispensable that I should have a confidant, and as he had full knowledge of our ideas, prudence demanded that I should make clear on my part the obligation which held him to silence and fidelity. When the position in Congress was offered me by the people, I declined it because my presence in Kentucky was very necessary for our purposes, and consequently it was given to Mr. John Brown. This gentleman

¹ See Gayarré, *Louisiana: Spanish Domination*, 223 *et seq.*

² The "arrangement for the granting of lands" was that approved by the Spanish government in the colonizing project of Wouves d'Argès. Cf. above, p. 749, note 3, 750, note 1. The orders despatched to Miró in this connection prescribed that no more than 300 *fanegas* should be allotted to one settler. Archivo Histórico-Nacional, Estado, Legajo 3893 A. Valdes to Miró, August 23, 1787. Miró, of course, had informed Wilkinson of the undertaking of Wouves d'Argès, and the official correspondence of the time shows that the American speedily superseded the French officer as an emigrant agent for Spanish Louisiana.

³ Cf. page 750, note 1.

immediately after his election to the Congress intended to withdraw from the connection he had formed with us, in his argument with me making use of the strong reason of the incompatibility of keeping a seat in the Congress while he was negotiating with the Spanish minister for a settlement in Louisiana. This step clearly proved how excellent my precautions had been, because if he had not been previously pledged along with us to submit the request to Mr. Gardoqui, he would have deserted our cause and divulged our confidences without fear of misapprehension or of public censure. I protested vigorously against his proposition, and appealing to the critical situation of our section of country, to the duties with which we were bound toward it, and to the solemn obligation that held us together, I drew a lively picture of the consequences that would necessarily attend union, fidelity, and perseverance, depicting in contrast the terrible spectacle that would accompany disunion, treachery, and dejection of mind. After some difficulty he resolved to adhere firmly to our plan, and agreed to send me regularly all the proceedings of the Congress which might affect our cause.

For my part, I would keep silent, although you have asked me to state my desires, if I were not in such critical circumstances: I left the United States voluntarily, without being sure of admission by Spain; I have rejected honors and rewards offered me by Great Britain, and declining the preëminence with which the United States paid me court, I have employed my time, my property, and all my faculties in promoting the interests of the Spanish monarchy; by reason of this conduct I have exposed myself to the wrath of the American Union, without knowing whether my person would be protected, whether I would be indemnified for the loss of my property, or whether His Catholic Majesty would compensate me for my labors. I am not discontented, because I know it was very proper that I should prove clearly and unmistakably the integrity of my principles and my faithfulness, before I could set up any pretense to the favor of the king; but I flatter myself that the solemn obligations which I owe to my wife and three small children will justify the petition which I now submit to the munificence of His Majesty for some settlement upon me that will compensate for the actual sacrifices I have made, and safeguard me against any misfortune I might suffer from the resentment of the United States, where my property lies. You have seen the proposition made me by Lord Dorchester through the medium of Colonel Conolly, but I have not acquainted you with the extent of his offers, nor shall I do so lest I be accused of exaggeration. I have assured you that I recently declined the election to the Congress, and from motives of policy I turned the election in favor of Mr. John Brown. This, sir, is a fact that I can prove; what more can I say of myself? I abhor the idea of venality, while modesty, delicacy, and self-esteem all forbid that I should set an estimate upon my own worth. Accordingly I beg your permission to refer my circumstances to the justice and goodness of His Majesty, with the remark that, having been reared in the profession of arms, I prefer a military commission, because I know that

the force of my genius inclines to the science of war, and that in this capacity I can afford the strongest proofs of fidelity, loyalty, and zeal ; to which I will add merely that in case of death the allowance made to me should go to my wife and children.

In my letter of February 12,¹ to which I most earnestly beg you to refer, I described the proceedings of the people of Kentucky up to that time ; later they chose a new convention, by virtue of a law of the state of Virginia, with the power to reconsider the subject of separation and to take the measures necessary to obtain its admission to the Union as an independent member of the federal body, if they should judge the same advisable. This convention was elected in April and was to meet on the twenty-fourth of this month and continue in session till January 1, 1791. But as the general tenor of the news I received from the Atlantic states during the months of March, April, and May led me to believe that the Congress had divined our policy, and that it was greatly alarmed over the measures taken by Great Britain and Spain in reference to Kentucky and the western regions, it became doubtful whether its fears and apprehensions would not cause it to admit us into the Union, should we renew our request to this end ; hence I judged it advisable to change our policy, and consequently I took measures with my friends to forestall such a request, because our admission would reinforce the bonds of the alliance, and when once we had become part of the federal pact, our withdrawal would be made more difficult and more susceptible of objections in the eyes of mankind. Having declared the separation from Virginia necessary and impressed this idea on the minds of the people, it is our intention to remain in the present condition until circumstances appear that will justify our rejection of the government of the Congress ; and in this case, nothing can aid us so much as the promise of protection and support which His Majesty has deigned graciously to give. I shall leave within a few days, and going by a route full of dangers and difficulties through the midst of Indian nations, I hope to arrive in Kentucky within sixty days. As soon as I arrive and can prepare my friends for the occasion, I shall present myself at the convention and let the members know of the kind and liberal intentions of His Majesty ; and if the circumstances are favorable, I will seize the moment to propose and force along the separation desired ; but if anything should hinder our purpose at this juncture, I will take the proper measures and await a more favorable occasion. At the same time I will devote all my attention to the plan of emigration, on which I shall labor incessantly, encouraging it throughout the western settlements, for which object it will be essential for me to send confidential agents from Kentucky to the respective settlements elsewhere in the wilderness, who will scatter the inducements offered to emigrants, proclaiming the advantages enjoyed by the inhabitants of Louisiana, making known the friendly disposition which His Majesty graciously displays in favor of the Western Americans, and so as to draw over to our

¹ Gayarré, *Louisiana : Spanish Domination*, 223 *et seq.*

interest two or three prominent men of the most select kind in every district. It is superfluous at this point to show that the execution of these indispensable arrangements will mean considerable outlays, because an individual cannot be found who will serve the public gratuitously unless his personal safety is immediately concerned in it, and you well know from the reasons above mentioned that it does not lie in my power to meet the expense ; in order then to realize the intentions of the court, to further the prosperity of Louisiana, which depends upon its being peopled, and to promote the separation of Kentucky from the United States, I feel confident that you will believe yourself sufficiently authorized to advance me the necessary amount, which I should estimate at 7,000 dollars at least, for I must assure you that without this aid you cannot expect from me anything other than prayers and good wishes, since my actual plight is so critical and embarrassed that it will restrain the vigorous efforts of my being, and will bring upon me an infinite amount of labor to support my family and take care of my private affairs.

Thus having given a glance, sir, at the past and examined the present condition of our political plan by looking into the causes that might be of prejudice to it, let us carry our ideas forward and see what political system is best for hastening emigration, winning and securing the constant affection of the emigrants for the crown, preserving the province in tranquility, and safeguarding it from any foreign invasion. I will consider this important object collectively, because its close connection and dependence prevents its treatment in detail. The great inducement for emigration is that tobacco may find a market in Louisiana ; this important matter ought to be carefully arranged so as to excite emigration, removing at the same time all possible causes for future discontent or complaint : to do so His Majesty should enlarge the quantity purchased every year to 10,000,000 pounds ; this will satisfy the liveliest hopes of the Americans, and since it would be to their interest to emigrate without loss of time, the province would gain a huge increase in subjects within ten years. Indeed for the success of our plan it is indispensable that the purchase of tobacco be increased immediately, because if the present harvest, which greatly exceeds the two millions [ordinarily bought], be not taken, complaints and clamors will be aroused, which, when they reach the American settlements, will check the emigration at the outset and destroy our nascent projects.

I shall do all in my power to further the populating of Natchez, preferably to that of L'Ance à la Grasse, for the many obvious reasons above mentioned ; just the same, I am firmly of opinion that the latter post is where the large armed force of the province ought to be stationed ; a respectable force planted so near the Ohio will inspire confidence in our American friends, and lessen their apprehensions of the power of the Congress : a garrison of 200 men with an armed vessel manned by fifty sailors will amply suffice at present to protect the lower settlements against any sort of outrage or any band of marauders from whom an attack might be feared. But, sir, no time should be lost in assembling

and arming the militia by companies, battalions, and regiments officered by the most respectable of their countrymen; which fact will, at the same time, appeal to the self-esteem and honor of the better class of men to uphold the government, and will tend to abolish the distinction among subjects, which is always poor policy and often dangerous: when such measures have been judiciously taken, you will have a respectable force always ready to work in combination with the regular troops.

But, sir, while these arrangements are sufficient for our immediate convenience, it is our duty to look forward to the immense population that is likely to cover the banks of the Mississippi and its tributary streams, and for the purpose of assuring the permanent welfare and maintaining the peace of the empire, we ought to measure our designs by a proportionate scale. Powerful indeed is the consideration. At present, the products of Louisiana and the American settlements are of little account, but in a few years the scene will change. When all this vast and fertile extent of country to the west of the Appalachian mountains, full of rich materials, is about to flood Europe with the abundant variety of its products, what are likely to be the consequences, if the commerce of Louisiana continues in its present condition? The tobacco, hemp, flour, rice, indigo, cattle, pork, iron, copper, etc., etc. — who will take them, or what will become of them? The royal treasury cannot consume all of them; the farmer will not effect the exchange of his products with the merchant for his goods; the latter will not be able to pay him at reasonable rates in specie; under which circumstances the empire may be tormented with convulsions and dismembered by revolutions, and the cause of all these calamities, if the matter be well investigated, will be found to have started from the impediments entangling our commerce. Our navigation being confined at present to Spanish vessels, and our commerce to a few Spanish ports and islands, rivalry, which is the vital principle of commerce, is dead, and the immediate consequences follow; our merchandise in dry goods is now sold at from 75 per cent. to 150 per cent. more than in North America, and the freightage of one cask of tobacco from New Orleans to any part of Europe costs as much as four casks from any part of the United States to the same place. Permit me to observe that this lack of freedom of commerce I fear will be extremely injurious to the people of Louisiana, nor will the province ever attain the wealth, importance, and splendor for which it seems fitted until this cause be removed. Still, how simple is the remedy, sir, for all these evils so stupendous: let New Orleans be a free port under all the necessary restrictions favorable to the Spanish marine, and these threatening calamities will disappear; the transportation of tobacco will be restricted to Spanish vessels by a moderate freight-charge, and Cadiz will be the general depot for its receipt, from which port it may be exported to any part of the world, and in less than fifty years all Europe will depend upon Spain for this article; because, as soon as a free commerce along the Mississippi is established, the cultivation of tobacco will be shifted entirely from the eastern to the western part of America, from the exhausted lands of the

Atlantic to the fertile regions of the Ohio and the Mississippi. What a mighty source of revenue is offered to us here ! In all other respects, excepting perhaps the moderate tonnage duty on foreign vessels, commerce will be free, retaining the present customs-duties on the importation of manufactures and commodities of Europe and the Indies, and our own exportations without restriction ; then our products will increase, and merchandise will fall in price ; the farmers and other inhabitants will get the proper recompense for their labor, and can supply themselves with the surplus that may be needful for their maintenance under conditions as favorable as the citizens of the United States. Nothing can serve more vigorously to bring about the complete disunion of the eastern and western sections of America ; and the right of internal navigation being reserved exclusively by Spain, the Mississippi, the Ohio, and the rivers emptying into them will be covered with Spanish vessels manned by Spanish subjects. A vigorous race of men well armed and equipped will erect an impenetrable barrier against all our enemies with very little expense to the crown.

The arrangements in regard to these principles set in order by the thorough understanding of our minister will produce the most important results. New Orleans will become the greatest emporium of commerce in the known world, because here the supplementary millions of inhabitants are likely to disembark, and here the merchant and the adventurer can find all the products of North America in superior quality, and in the greatest abundance ; the revenues of Spain will follow the increase in agriculture and the extension of commerce ; and I am persuaded that I do not exaggerate when I say that in less than a century the crown of Spain will derive more revenues from the single port of New Orleans than will the Congress of the United States from the commerce of all the Atlantic region.

Oh, sir, had I the eloquence of an angel, all my force and fire would be consumed in impressing upon the ministry this new but needful doctrine. Louisiana, important in itself when considered as the frontier of Mexico, cannot be overestimated ; with this province lost to Spain, the Mexican kingdom will be stirred to its very depths in less than fifty years ; in vain may Spain populate its dominions in Louisiana ; in vain will she endeavor to win over the Western Americans if she cannot secure them the sale of their products or furnish them what they need on the same terms as the other nations, because if they cannot sell or exchange the fruits of their industry, their situation will be the same as that of the most rigorous exclusion from the Mississippi, and the same consequences must ensue. I fear that this language may not be acceptable to the ministry ; rarely are disagreeable truths well received nor those which prophesy misfortune well recompensed ; but, sir, acting in accordance with the principles I profess, I feel absolutely bound by all the ties that govern men of honor throughout the world to give my opinion with candor, and to offer the advice which I believe best calculated to further the immediate objects of the sovereign, and to afford permanent security

to his extensive dominions against all possible injury. For the meditating mind no study should appear more important or more rational than that of avoiding misfortunes and preventing evils, however remote; at all times the mind of the prudent, the treasure of the rich, and the faculties of the powerful have been employed to these ends. It is true that at present we are in a state of profound calm, and the dangers are seen only at a great distance, but let us not be deceived by appearances; black clouds may soon gather over the heads of those whose sky is now most brilliant, and in the midst of the deceitful calm they enjoy, the tempest that is to overwhelm them has perhaps already begun to brew.

In the royal decisions I notice that His Majesty has graciously deigned to promise the people of Kentucky all the favor, support, and advantages consistent with his royal goodness, in the situation in which they find themselves, conformable to the interests of his kingdoms; allow me, therefore, through your instrumentality to beseech him for a grant of arms and ammunition in favor of this country¹ which will be of use whenever the circumstances demand it. As soon as we shall have determined to withdraw from the government of the United States, we ought to have arms to defend ourselves against the Indians or any other enemy that might purpose to interfere with our measures, and we do not know where to find these supplies except in New Orleans or at the Strait.² If the court decides to grant this request, I should recommend that the arms and ammunition destined for this purpose should be sent secretly to L'Ance à la Graise, from which in case of necessity they could be taken to Kentucky in a few days.

Permit me to make a few observations in regard to a personal matter, and I will conclude this long piece of writing. You will recollect that at the beginning of this affair I believed it highly important to convince the people of the Ohio settlements that the transportation of merchandise from New Orleans could be made at a lower cost than from the Atlantic seaboard across the Appalachian mountains, and you can certify that in order to establish this fact in particular I invested 14,000 dollars in merchandise purchased here for the Falls of the Ohio. Now I must tell you that the trip was made, but on account of the inefficiency of the captain the cargo suffered considerable damage, which in turn caused me great loss; still what I claimed was clearly demonstrated to the satisfaction of the entire section of country, so that, sir, at my own private expense an important political point is established. I have suffered greatly in the experience; nevertheless with the effects saved I bought two hundred casks of tobacco payable from the harvest of this year, which I shall receive on my return to Kentucky. If, by reason of the restriction under which you have lain up to the present regarding the purchase of this commodity, you cannot have them bought on behalf of the royal treasury, I shall lose all of my principal; accordingly I hope that, in view of the fact that, as I say above, I undertook this business to impress the people of Kentucky with the utility of dispensing with the commerce of

¹ Kentucky.

² Detroit.

the Atlantic states, you will promise me forthwith to receive the tobacco at the proposed price of eight dollars a hundred pounds, with which I can make up for my expenses at least, believing as I do that this cannot be prejudicial in any way to the king.

Allow me to stop my reflections here, and to bring to an end two years of assiduous labors for the cause of His Majesty. I shall be very happy if these observations appear to possess the soundness with which I wished to form them, and still happier if they produce the effects which I anxiously desire; but whatever may be their merit, I am sure of the purest intentions when I prefer the service of real advantage to that of merely pleasing. I have laid aside the language of pomp and adulation, and have striven to direct myself to one who may understand me simply and truly.

I must beg you to favor me as soon as possible with a reply to those points which demand it, for I earnestly wish to return to Kentucky, where my presence is very necessary at the present juncture, while the convention is in session. I have the honor to be, with the greatest respect, your most obedient and humble servant

JAMES WILKINSON

Brigadier Estevan Miró, governor and intendant of the provinces of Louisiana and West Florida.

III. JAMES WILKINSON TO GENERAL ESTEVAN MIRÓ [Giving a list of persons to be pensioned].¹

NEW ORLEANS, September 18, 1789.

Sir :

I have had the honor to receive yours of to-day, in reply to my reflections of the seventeenth instant, and I shall faithfully carry out your instructions. Enthusiastic as I am over all my operations, you may confide absolutely in my putting into practice a constant activity and zeal in behalf of the cause I have embraced, without being idle at my post, and always attending to the duties of a vigilant and faithful sentinel.

Throughout my life I have abhorred venality, hence I own to some misgiving lest the aid² I have requested may subject me to the suspicion of possessing a sordid or avaricious spirit. In fact no circumstance, other than that of real necessity, could have induced me to proffer such a plea; but, finding myself actually under considerable expense by reason of certain loans and extraordinary private outlays that reach the sum of twelve thousand dollars, and which I have judged necessary to make sure of my friends and promote our cause, it has been impossible for me to go ahead and satisfy your hopes as well as my own desires without support.

¹ Spanish translation in Archivo Histórico-Nacional, Madrid, Estado, Legajo, 3898 B.

² *I. e.*, of seven thousand dollars asked for in the preceding communication to Miró, as a fund upon which Wilkinson might draw in furtherance of the general scheme, and in reimbursement of previous expenses connected with it. Cf. *infra*.

I am entirely content with the receipt of the seven thousand dollars under the conditions you propose, but I must ask you that no one outside of the confidential servants of the crown shall know of this loan. Should this circumstance leak out, it might soon be brought to the notice of Congress, and by arousing the jealous fears of that body, expose me to great embarrassment.

With the greatest respect, I have the honor to be, sir, your most humble and obedient servant

JAMES WILKINSON.

P. S. Enclosed you will find the list you ask for.

J. W.

Brigadier General Estevan Miró.

[*Enclosure* :] List of the prominent men ("notables") of Kentucky who should be pledged to the interests of His Catholic Majesty, with explanation of the character of each.¹

| | | Dollars. |
|---|--|----------|
| These are my confidential friends and support my plan. | Harry Innes, Esq., attorney-general and counselor at law; gets 500 dollars a year from the state of Virginia. | 1,000 |
| | Benjamin Sebastian, lawyer from Virginia. ² | 1,000 |
| | John Brown, member of Congress. | 1,000 |
| | Caleb Wallace, one of our judges; enjoys a thousand dollars a year from the state of Virginia. | 1,000 |
| | John Fowler, a zealous advocate of our policy, and a man of influence. | 1,000 |
| These favor separation from the United States and a friendly connection with Spain. | Benjamin Loghan [<i>sic</i>], recent commander of the militia. | 800 |
| | Isaac Shelby, a man of fortune and of great influence. | 800 |
| | James Gerrard, ³ colonel in the militia, and a man of influence. | 800 |
| | William Wood, an official of much power. | 500 |
| | Henry Lee, colonel in the militia. | 500 |
| These favor separation from Virginia but do not carry their views any further. | Robert Johnston, colonel in the militia. | 500 |
| | Richard Taylor, a man of influence. | 500 |
| | General Lawsen arrived in Kentucky just as I was leaving it. He is a gentleman of respectable talents and military knowledge. He is my friend and will adopt our policy. | 1,000 |
| | George Nicolas, Esq., arrived recently in Kentucky. He has not entered into our political concerns. He is one of the wealthiest gentlemen in | |
| | | |

¹ The copy in the Archives of the Indies is here given. The chief points of verbal dissimilarity from that in the state papers at Madrid will be noted in the proper places.

² The words "from Virginia" are omitted in the Madrid copy.

³ Gerrard? Cf. Green, *The Spanish Conspiracy*, 77. [ED.]

Some of these have British leanings; some favor the interests of Congress; some are for separation from Virginia, others are opposed to it. All are working without union or concert; but they are our enemies, and hence it is necessary to win them over.

| | |
|---|---------------------|
| the country, of great ability, and it will be a great point to win him over to our political views. I have been his friend for some time, ¹ and I think that he will concur..... | 2,000 |
| Alexander Scot Bullet, ² a man of ability and fortune, but very changeable; still he will be of use to our cause. | 1,000 |
| Thomas Marshal, a surveyor..... | 1,000 |
| Humphrey Marshal, a villain without principles, very artful, and could be very troublesome | 600 |
| George Mutter, ³ a judge; gets a thousand dollars a year from Virginia..... | 1,200 |
| Green Clay, a private individual possessed of some influence..... | 500 |
| Samuel Taylor, idem..... | 500 |
| Robert Caldwell, colonel in the militia..... | 500 |
| Richard Canderson, ⁴ a popular surveyor, but a person of no ability..... | 1,000 |
| | 17,700 ⁵ |

It would unquestionably be good policy to gain men of influence and ability in the other settlements along the Ohio and the rivers that flow into it. Your excellency should have discretionary powers for this purpose as well as for diminishing, increasing, taking away, or granting stipends, according to the proportion that the conduct of the agents may deserve or the interests of the king require. The two federal judges and the officials to the northwest of the Ohio, who are in charge of the settlements along the rivers Muskingum and Miami, are suitable persons for the object first named, but as each of these gets a salary of a thousand dollars a year, I should judge two thousand dollars necessary in order to alienate them from the United States. In most cases I would make a conditional contract, that is, pay such and such a sum for such and such services.

JAMES WILKINSON.

3. *Two Letters from George Farragut to Andrew Jackson, 1815-1816.*

THE interesting letter of Admiral Farragut printed in the REVIEW of April, 1904, led me to glance over certain years of the

¹ The rendering in the Madrid copy is: "He is my intimate friend."

² Colonel Alexander Leatt Bullitt? Cf. Gayarré, *Louisiana: Spanish Domination*, 209. [ED.]

³ Mutter? [ED.]

⁴ Richard C. Anderson. Cf. Green, *Spanish Conspiracy*, 77; Brown, *Political Beginnings of Kentucky*, 194. [ED.]

⁵ The total should be 18,700.

Andrew Jackson Papers, now in the Library of Congress. I was rewarded by finding two letters from the admiral's father, which add somewhat to our information concerning him, although they give a different impression of the service he rendered in the southern campaign. When compared with the statements in the admiral's letter, they illustrate the danger of accepting family traditions in such matters. The rank is that given in the indorsements on the letters.

WORTHINGTON CHAUNCEY FORD.

I. "CAPTAIN" GEORGE FARRAGUT TO ANDREW JACKSON.

MOBILE March 24, 1815

Dear Sir

I regret not been with you, at New Orleans, but owever, I did my duty on this quarter, for two months, I have been imploed, by General Winchester, as Spy from Pascagola to pas cristian, and den I come to this place, and becos I had a public Horse, did no alowed me, but twenty Dollars, per month, I anderwent a great dil of fatig, in that time, from the 15 day, of December, to the 15 day of February, and I both [bought] a public Horse, he dyd, so it his that my pay dont pay for the Horse, and ten Dollars that I had from Capt Fils, the quarter master, so it his that I am indated to the quarter master, sixteen Dollars, bises my pay, so I go hom, with out money, nor provision, and without horse to plow my corn, or to geder my Catlet, I mos go to New Orleans in a few days to git my friends to asist me in giteen provision until I can sell som of my stok or work hard for it, if I could git, eny thing to do in, the line of my profetion, on this cost, I would be glad, if dont I chell be oblige to lebour hard, to suport me, and my smol childrens.—

my respects to your Lady and friends

I am Respectfully your ob' Servant

GEO^d FARRAGUT

His Excellency

Major General

Andrew Jackson

II. "PRIVATE" GEORGE FARRAGUT TO ANDREW JACKSON.

PASCAGOLA, Ma'ch 30th 1816

Dear Sir

I hope this will met you well, I write you this, to let you no, that I am in the land of the living and working ard, to mak some thing to sup-sist on. I have totat rels [totod rails] on my sholder, until my sholders could ber no mor, owever my fences are all don, but now I must tak the owe [hoe], to plant my corn, for I have no Horse, and my catlet I must hort on foot, — God bles you and Seft Return to your famely.

I am Respectfully Your ob' Servant

GEO^d FARRAGUT

Major General Andrew Jackson.

REVIEWS OF BOOKS

Manuel de Bibliographie Historique. Deuxième Fascicule. Par
CH.-V. LANGLOIS, Professeur-adjoint à l'Université de Paris.
(Paris : Hachette et Cie. 1904. Pp. 241-623.)

THE first part of M. Langlois's indispensable manual having been devoted to the more strictly bibliographical aids to historical study, the second part proceeds to treat of the other tools which the historical investigator has occasion to use, namely, "collections of documents, and repertories of words, names, dates, facts, and data of every sort". This second class of materials, however, does not admit of as satisfactory delimitation as the first; these collections have themselves a history, which is virtually that of modern historical erudition, and a general critical guide to them is obviously an enterprise far too vast for any individual to undertake. What M. Langlois has given us is really a rapid survey of the history and present organization of historical studies in the principal modern countries, accompanied by brief notices of the great collections and by abundant bibliographical and critical references. Nothing of the kind has hitherto been attempted, except for certain limited portions of the field, and a comprehensive, well-ordered, and accurate manual of this sort will be welcomed not only by the student in search of special information, but by all who are interested in the development of historical science.

About one-fourth of the volume is occupied with the period anterior to the nineteenth century. While admitting that the ancients and the men of the middle ages were generally uncritical, M. Langlois does not share the popular opinion that they were in a state of intellectual infancy characterized by entire lack of the critical sense. The philological criticism of the Alexandrian and Pergamene schools showed a high degree of skill and discernment, and although ancient and medieval historians did not consciously formulate the principles of historical criticism, the best of them often applied these principles unconsciously with considerable discrimination. The greatest disadvantage of the scholars of early times was a material one, the lack of means of communication and comparison, and the absence of those manuals of "condensed and classified experience", of that "enormous stock of demonstrated truths" which modern scholarship holds conveniently and securely at its disposal. Still, such manifestations of the critical spirit as appeared in the middle ages might have been suppressed by the complete triumph of scholasticism or of mysticism, from which Europe was saved by the Renaissance. In many ways, however, the Renaissance contributed less than did the Reformation to

the growth of historical studies, historical criticism being in a very real sense, in Renan's phrase, the offspring of Protestantism. An interesting discussion of the influence of these movements upon the study of history is followed by a chapter on the seventeenth and eighteenth centuries, in which Langlois sketches the history of classical philology in this period and gives a good account of the work of the great religious corporations and of such individual medievalists as Du Cange and Muratori.

When he reaches the nineteenth century, preëminently the epoch when the greatest interest has been taken in the study of history, the author is forced by the extent of his subject to give up the chronological order of exposition and to confine himself, after an excellent summary of the general aspects of the period, to an account of the principal historical enterprises in each important country, whether carried on by the government, by learned societies and universities, or by private individuals. France naturally receives most attention, but Germany and Austria are not slighted, and the other principal countries of Europe are treated clearly, if somewhat more briefly. International agencies, such as religious orders, historical congresses, and the new association of academies, are also noted, but the British colonies are allowed only a single page, and Latin America is entirely omitted. The method of treatment throughout is sober and concise, as befits a bibliographical work, but there are many instructive observations by the way, and the concluding summary of the present state of historical studies is notably clarifying. The volume ought to prove practically useful, especially in a comparatively new country like our own, by suggesting, through the experience of other countries, the kinds of historical enterprises that most need to be undertaken and the most effective methods of organizing and conducting them.

In the eight pages which he gives to the United States M. Langlois labors under the disadvantage of dealing with a wide field where conditions are rapidly changing and of being obliged to obtain his information entirely at second hand. Some errors and omissions are to be expected, but on the whole the statement of the condition of historical studies in America is reasonably accurate and singularly free from prejudice or misunderstanding. The account of what the Federal government has done for history is confined to a reference to Mr. Clark's article of ten years ago and a confused quotation from it regarding the *Rebellion Records*, and nothing is said of the historical publications and enterprises undertaken by the several states. The work of the American Historical Association is given its due importance, and even exaggerated, as the Association is credited with the founding of *THE AMERICAN HISTORICAL REVIEW* and with performing in relation to local historical societies exactly the function which the *Comité des Travaux Historiques* was originally designed to perform in France. The local historical societies are dismissed with a bare mention of the three oldest and with no notice of the work of the newer state-supported societies. Among the national societies more or less historical in character we miss the American Economic

Association and the Modern Language Association (as well as the newly founded Political Science Association), and among university publications, the *American Journal of Theology*, the *Journal of Political Economy*, the *Quarterly Journal of Economics*, the *American Journal of Philology*, *Modern Philology*, and the *Bulletins* of the University of Wisconsin. The schools at Athens and Rome are duly recorded but not the school at Jerusalem.

As regards American historical work in general, M. Langlois declares it decidedly promising, but so far rich only in works on American history, "treated mainly from a religious, economic, or sociological point of view"; whereas it can hardly be disputed that it is the constitutional, political, military aspects of our history which have received most attention. "The United States", he adds, "have made very few contributions of the first rank to the history of classical antiquity and medieval Christendom", the case of Mr. Lea being quite unique. As far as classical history is concerned, the reproach is entirely just. In spite of all the advantages of time, money, and special privileges which the study of the classics has enjoyed in America, it is extraordinary how little has been done to stimulate interest in Greek and Roman history and how small have been the American contributions to the world's knowledge of ancient history and life. The neglect of ancient history in our colleges and universities is, when all the circumstances are considered, one of the most serious charges that can be brought against American scholarship. As regards medieval history the criticism is not quite so well-founded. Every one will admit that Mr. Lea stands in a class by himself, but there is at least one field in which American scholarship has been steadily productive, namely, the institutional, legal, and economic history of England in the middle ages. If we bring together the *Essays in Anglo-Saxon Law* and the books of Bigelow and Thayer, Gross's *Gild Merchant* and lesser monographs, the investigations of G. B. Adams, Baldwin, and Lapsley in the field of medieval institutions, and the studies of Ross, Allen, Andrews, and half a dozen more recent writers upon agrarian conditions — not to mention research in the early history of English literature — and if we remember also that the best bibliographical works on English history are due to an American, we need have no reason to be ashamed of the results in this field. The total does not counterbalance the work of the country which can claim Gneist, Pauli, Brunner, and Liebermann, but it certainly outweighs that of any other continental country, France not excepted.

CHARLES H. HASKINS.

Histoire Ancienne des Peuples de l'Orient. Par G. MASPERO. (Paris: Hachette et Cie 1904. Pp. 912.)

MASPERO'S work has long been accepted as a classic. It requires a rare combination of qualities to write a trustworthy and readable history of a period embracing many centuries and many different peoples; Maspero moves with ease through the mazes of his material, massing it into a unity and creating a story of real life in which the personages are nations.

This unity of presentation is made possible by the intimate relations that existed between the nations treated of, Egyptians, Babylonians, Assyrians, Phœnicians, Hebrews, Medes, and Persians. It was, perhaps, this sense of unity that led Maspero to give the title *Ancient History of the Peoples of the Orient* to a book that omits Arabia, India, and China; the history of these latter peoples is, however, not unimportant. The successive editions of Maspero's work have kept pace with discoveries in various fields; the present edition, for example, the sixth, has a notice of the important Code of Hammurabi, which was discovered about two years ago. The last instalment of the English translation, edited by Professor Sayce, appeared in 1900, the other parts being several years earlier: in the last ten years the original work has been greatly enlarged. The recent elucidations of Egyptian history are due in no small measure to the researches of Maspero himself; in this field he is an acknowledged master. His opinions as to Egyptian origins have not undergone serious modification. He still holds to the close relationship between the Egyptian and the Semitic languages, and therefore to the existence of a primitive Egyptian-Semitic people. In regard to certain questions relating to the prehistoric period he is non-committal. Did the first Egyptians enter their land from Asia or from the Mediterranean African coast? Maspero declines to decide between the two routes. He gives, however, a long account of predynastic Egypt (based on recent excavations), and insists on the remarkable maintenance of two types, the peasant and the aristocratic, both of which, he thinks, may be seen to-day in Egypt. The traditional first king, Menes, till recently a somewhat shadowy figure, has now become real; his tomb has been discovered, and with him several other kings, whom Maspero, of course, takes as historical without, however, accepting Petrie's attempt to arrange them in historical order. Maspero is equally cautious in his treatment of the early religion of Egypt, giving no opinion concerning the origin of the cults of Osiris, Ra, Amen, and the others; he holds, what is obviously the right view, that originally each district had its own deity, who was supreme in his own domain — the pantheonic system was the result of political unification and moral and religious reflection. A point of special interest in Maspero's account of the religious history is his view of the revolution effected by Amenhotep IV., who devoted himself to the worship of the disk of the sun (*aten*). This has been represented as a monotheistic movement due to Semitic influence; it was in fact neither purely monotheistic nor Semitic, but a natural though ephemeral Egyptian development in the direction of unification.

In Egyptian history Maspero is an authority of the first rank; in earlier Babylonian history he is dependent on the researches of others, and in doubtful or disputed points the views he gives are those of the writers he follows. Thus for the earliest historical kings (p. 188) he adopts the date B. C. 4300 without stating that there is difference of opinion on this point among cuneiform scholars, some of whom put the earliest known king 800 years later; the chronological statement of Nabonidus,

accepted by Maspero as authoritative, is regarded by many as doubtful; Babylonian history is hardly definitely determinable before B. C. 3000. Another doubtful point is the origin of the African name Cush, a name that in the Old Testament is given both to the region south of Egypt and to a part of the Tigris-Euphrates valley (Nimrod is called in Genesis, X. a son of Cush). Maspero regards the African name as brought over by immigrants from Asia; this construction, though defended by some Assyriologists, is open to objections, and cannot be regarded as historically assured. However, the account of Babylonian history is in general excellent (thus the term *patesi* is correctly explained as meaning "prefect" or "dependent kinglet"); only, too much importance is attached to the "triads" in the religious system. In the later periods the historical facts are fairly well assured, and, with a few exceptions, Maspero includes the results of the most recent investigations. The Hebrew history is skilfully interwoven with that of the surrounding peoples. A singular though not very important inaccuracy occurs on page 792: it is there stated that some of the nobles of Jerusalem were exiled by Artaxerxes Ochus to Hyrcania, and in a foot-note reference is made to Josephus's *Antiquities*, xi. 7, 1; but Josephus's statement (which does not mention exile) refers to an entirely different affair, and the authority for the exile is the *Chronicle* of Eusebius.

C. H. TOY.

The Political Theories of the Ancient World. By WESTEL WOODBURY WILLOUGHBY, Ph.D., Associate Professor of Political Science in the Johns Hopkins University. (New York: Longmans, Green, and Company. 1903. Pp. xiii, 294.)

IN this book Professor Willoughby has made an important addition to the literature of the history of political theories. In English hitherto, except for numerous articles in the different journals, we have had only two or three works that need to be mentioned—those of Pollock, Dunning, and Merriam. Dunning's work, comprising so far only one volume, which is devoted to ancient and medieval times, might be supposed to render this history by Professor Willoughby superfluous, but the two books, although both dealing with the ancient theories, really occupy different positions. On the whole Dunning is only the objective historian, limiting "himself quite strictly", as Professor Willoughby points out (preface, xii), "to an account of political theories as they are to be found crystallised and explicitly stated in literature". Dunning is blind neither to the "contemporaneous facts of public life . . . of which the writings were born" nor to "the practical lessons which their authors endeavored to teach", as Professor Willoughby also recognizes, and this, as really only a part of the character of an objective historian, is both the merit and the defect of his work. Professor Willoughby, on the other hand, seeks beyond the bare facts, whether of life or theory, "the political presuppositions involved, . . . the political ideas implicit in the systems of governments and laws of the times and peoples consid-

ered", and this in its turn shows the standpoint from which the present review must be written. Does Professor Willoughby really, as he claims, "supplement rather than duplicate" Dunning's earlier work? Also, does he give us a book that, to use his own words, really "resembles in some respects a philosophy of history"?

The answer is an affirmative one, at least so far as the supplementary character of his book is concerned. Professor Willoughby has justified his book. Yet he has not accomplished all that his readers might reasonably expect. Of course, unqualified answers, negative or affirmative, are not at all in good form at the present time, but while Professor Willoughby has produced a decidedly valuable book for students of political theories, supplying much toward what has hitherto been lacking, there are several specific counts that can and must be made against the success of his undertaking. Three of these may be mentioned here, one bearing upon the general character of the book, the other two upon the treatment of special subjects.

Thus, in the first place, the author even in a limited sense cannot be said to have written a philosophy of history. Perhaps for "practical purposes" a professional philosopher is hardly a fair judge on this point, but I very much doubt if even the resemblance promised will be apparent to many readers. Most will be left with only a very hungry satisfaction. Few will and none should seek an abstract logic of history, but all have a right to expect more connective paragraphs or, rather, more connective ideas. It is true that Professor Willoughby is free from the bondage of dates, but he is not altogether free from the idea of times as bounded by them. Dates do not make real history, nor does mere indifference to them insure an escape from the unreal history that dates do make. Thus Professor Willoughby has certainly identified men and theories with the life of their times; he has made the identification fairly vital; he has shown in particular what being a Greek or a Roman meant politically and how the different theories grew as plants out of the soils which Greek and Roman life provided, and such a showing is far on the way to a true philosophy of Greco-Roman history; but nevertheless his book lacks the movement and continuity necessary to a truly philosophical account of history. Again, he has, besides his sense of the intimacies between the theories and the things political, also a sense of the place of these things and theories in the more general life and the more comprehensive philosophy of the times with which he deals; but with this, which counts for much, he still fails, at least exoterically, to give even a general reader's philosophy of history. To waive certain less conspicuous evidences of this failure, such as the more polite than appreciative treatment of the oriental philosophy (Chapter II., 13-22), and particularly of the part of the Jews in political history (Chapter III., 23-30), the discussion of Stoicism and Epicureanism (Chapter XII.) is signally inadequate. These great ethical philosophies are indeed interesting in themselves and, as Professor Willoughby shows clearly enough, they were pertinent to their time, but he sees their time too statically or—to recall what was said

above — too much as if between dates, not enough as an activity involving a long past and a long future. Associating with them the contemporary skepticism, an appreciative historian should see in them, perhaps as much in their opposition and interaction as in their different separate ideals, the solvent by which the earlier civilizations were made parties to the Roman. They turned the human treasures and conceits of the Greeks and the other peoples of the time into non-human, wholly material things or "utilities", which the forces since known under the name of Rome were enabled to use, and thus they were important agencies in the building of the great empire, dehumanizing or materializing the old for the free use of the new. Of this distinctly mediate function, however, in Stoicism and Epicureanism Professor Willoughby gives only the merest hint. Yet in such a book as he has undertaken, what could be more important than some such direct treatment of these great philosophies of the transition as philosophies of the transition? Has the historian no proper interest in the wise men who brought treasures out of their past and in all humility offered them to the dawning future? Has he no necessary regard for the people saying through their philosophies, "The things which were given are now taken away by the giver of them"?

But, secondly, the discussion of Plato may be mentioned as illustrating further the criticism made here. This discussion (Chapters VII.-IX.) lacks real efficiency. Plato was indeed an idealist, although not a mere dreamer, as we are finally reminded (p. 128); his idealism was of the sort that is always great, in that manifestly it was only an abstraction and hypostasis of what in different degrees had been the actual, though unconscious or only half-conscious, practice of the Greek cities for centuries; but the distinct historical value of such hypostasis, and so the real motive in Plato's theories, Professor Willoughby has somehow missed. Like any great philosophy, too, Plato's philosophy affords a sort of cross-section of the life of his times, so that to find in him only a certain doctrine, even though this doctrine is seen as formally appropriate to the day, is to be at least in danger of avoiding the real point. A cross-section is not so static as it may often seem; it is dynamic; it is like the infinitesimal of the calculus, which only focuses into a point the spacial and temporal movement of a whole system; and in the case of Plato not to see the tension or struggle — even the vacillation — with which his philosophy was quick is — what shall I say? — it is to deny him any real part in history.

And, thirdly, and lastly, in a comparison between the Roman and the modern eighteenth-century idea of law as contract it seems to me hardly safe to depend on such a statement as this: "As being . . . rationally demanded by men's very nature, the state was never viewed [by the Romans] as anything so artificial as to require a formal conventional act for its establishment. . . . There was . . . no original basis of natural right upon which the idea of a social compact could have been founded" (pp. 243-244). Was not the nature upon which the natural rights of the modern theories were based as urgent and as rational a

demand for the state as the Romans ever lived under? Though used as a sort of cry against all forms of established authority, was not nature after all rather a watchword of reconstruction than of anarchy? And "the formal conventional act", to which Professor Willoughby refers, was this anything more than a sort of legal fiction, a political category, which, while depriving every visible institution of final authority, was nevertheless an evidence of the constant demand in human nature for instituted authority in some form? The difference between the Roman and the modern idea, if difference there be, is that between fixity and movement, between the law as necessary and the law as always subject to revision. It can hardly be that between what is "rationally demanded" and what is "so artificial as to require a formal conventional act for its establishment".

So, in conclusion, this book by Professor Willoughby, while undoubtedly justified, is as much an invitation to others to work in the same vineyard as anything else. The invitation, however, has been needed, and what a book succeeds in making not only more clearly necessary but also more clearly while, is quite as important as what in itself it immediately achieves. Professor Willoughby's book has the real importance of both meeting a want and at the same time creating one.

ALFRED H. LLOYD.

A Social History of Ancient Ireland. By P. W. JOYCE, LL.D.
(New York, London, and Bombay: Longmans, Green, and Company. 1903. Two vols., pp. xxiii, 632; xi, 651.)

DR. JOYCE'S two volumes constitute the most comprehensive treatise on the life and institutions of ancient Ireland that has appeared for a long time. No work of similar range has been undertaken since Eugene O'Curry's *Lectures on the Manuscript Materials of Ancient Irish History* (Dublin, 1861) and on the *Manners and Customs of the Ancient Irish* (1873); and Celtic studies have made great advances in the interval. Dr. Joyce, while taking advantage of the progress of science, frankly acknowledges a large debt to his predecessor and treats his work with a respect which it has not always received from men of the newer training. In fact he sometimes quotes O'Curry or O'Flaherty (the author of *Ogygia*) when it would be more satisfactory to have references to original sources. But he is not misled by their authority, and he usually makes clear to the reader the real nature of the evidence for his statements. His work, as might be expected, frequently corrects and in large measure supersedes all earlier treatises on the subject with which it deals.

After a judicious preliminary discussion of the nature of his sources and the methods of his investigation, Dr. Joyce gives a general bird's-eye view of Irish society in the period from the sixth century to the twelfth. Then he proceeds to take up one by one different features of the national life and discusses them minutely in successive chapters. His study includes the systems of law and government; religious institutions, both

pagan and Christian; education, both lay and clerical; language, literature in its various departments, and the arts and sciences; and all the daily activities of domestic, social, and industrial life. He has brought together a great mass of material of the utmost interest to students of any branch of history or archæology, has arranged it admirably, and has discussed it with much clearness and sobriety, though not with marked originality. He has not contributed much in the way of new theories or discoveries of facts, but this was not his main purpose. On the whole his treatise represents pretty well the present state of the information upon the subjects with which it deals.

Dr. Joyce's method is not chronological, and it would probably have been impossible — at least without prolonged special investigation — to trace the development of many of the institutions he treats. But one sometimes feels that more regard should have been paid to time. The chapter on "Paganism" would have been better if more attempt had been made to distinguish its successive phases, and if Druidism had not been simply identified with the popular religion. Dr. Joyce either did not know or he chose to disregard the important recent discussion of this subject by A. L. J. Bertrand, whose treatise, *La Religion des Gaulois* (1897), is not mentioned either among the references on Celtic Druids (I. 240, note) or in the general bibliography. In general, I should say that not enough account is taken of current opinion and discussion, which often affects very materially the interpretation of the texts and monuments. Speaking of Esus (I. 249), Dr. Joyce suggests that he was widely worshiped in Gaul, though M. Reinach has argued vigorously against this view (*Revue Celtique*, XVIII. 143); and he says nothing of the attempt made by M. d'Arbois de Jubainville to find in an episode of the *Tain Bò Cuailgne* a parallel to continental sculptures of the same god. Similarly he discusses the Tuatha de Danann without mentioning either Stern's theory (*Stokes Festschrift*, 15 ff.) about the origin of the name (which, if accepted, would dispose of the goddess "Danu") or Nutt's long essay upon them in *The Voyage of Bran*. In a later chapter he treats the life of Saint Patrick without indicating that the usual account (which he follows) has been often questioned, most recently in H. Zimmer's important article on the "Keltische Kirche" (*Realencyklopädie für protestantische Theologie und Kirche*, third ed., 1901, X. 204 ff.). These omissions, and others like them, were probably part of Dr. Joyce's plan. But it seems none the less important to point them out, even if the author felt himself to be observing a necessary limitation. The treatise is far less complete as a digest of opinion than as a collection of materials.

I do not think a large quantity of positive errors will be found in the work. The equation between Bel and Baal (I. 279) will hardly command the assent of scholars; and the assumption of a common origin for O'Duibhne and Adonis (I. 532) is still more astonishing. Several of Dr. Joyce's linguistic ventures are unlucky, although he has written a good book on Irish place-names. There is surely no reason for repeat-

ing Crowe's etymological identification of *bruidhen* and *πρωγαμένη* (II. 171). Dr. Joyce's remarks on Christian loan-words (I. 316) are also inadequate, taking too little account of Welsh transmission, and his classification of the Celtic languages (I. 472) is misleading when it implies that the continental Celtic as we know it was the parent of Welsh and Irish. But these inaccuracies fortunately do not affect the greater part of his work. It is in comparison of Irish with other languages rather than in the interpretation of the Irish itself that he is not quite safe. And I may add that in dealing with religion and saga the least successful parts of his work have been his efforts at comparison. The parallels and contrasts, for example, between Irish and Gaulish religion (I. 238-240) are not particularly significant, and in a later chapter (I. 391) the remarks on cold torments in hell imply that the doctrine was more restricted to the Celts than it really was.

But comparison of institutions, like comparison of words, was only a casual matter with Dr. Joyce. He says in his preface that he could not give much space to it. His chief object was to compile the available facts about the social history of ancient Ireland, and he has done it with remarkable thoroughness. Such a compilation is of special value (and attended with special difficulties, it should be remembered) in the field of Celtic philology, where most of the usual aids to scholarship — good dictionaries, onomasticons, cyclopedias, and the like — are still extremely scarce.

F. N. ROBINSON.

Les Origines de l'Ancienne France. Par JACQUES FLACH: III. Le Renaissance de l'État. La Royauté et le Principat. (Paris: Librairie de la Société du Recueil Général des Lois et des Arrêts, L. Larose, Directeur. 1904. Pp. viii, 580.)

To all who have a special interest in the history of feudal institutions, or in the history of the tenth and eleventh centuries, the appearance of a new volume by M. Flach, after an interval of ten years, is an event of much importance. Whatever one may think of his fundamental theories, or even of his historical method in some of its particulars, there is certain to be much instruction to be found in his suggestive ideas, in his restudy of the evidence, and in the new evidence which he brings to bear with great skill on the problems of the age.

It was a long life-work which M. Flach began many years ago, and it has been much interrupted by the exacting duties of his academic position. The first volume appeared in 1886; the second in 1893; and the third bears the date of 1903. Of his original plan of the work, covering the entire institutional history of the period between the dissolution of the Carolingian state and the beginning of a reconstruction of the royal power by the Capetians, Volume I. contained Book I., on protection — a study of political conditions affecting the origin of feudalism — and Book II., on the dissolution of society; Volume II. contained Book III., on the elements of reconstruction — a study of early communal organization, urban and rural, and of feudal institutions; and the pres-

ent volume contains the first half of Book IV., entitled in the original plan "the formation of a national law", now called "the renaissance of the state", and dealing with political institutions rather than with the construction of a body of formal law. The proper treatment of this subject proved too long for a single volume, and another to complete it, which will be Volume IV. of the whole work, is promised for early publication. There still remain of the original plan four more books to appear: V., dealing with general social conditions; VI., with economic conditions and the position of the individual in this society; VII., with intellectual and social conditions; and VIII., with commune and enfranchisement as outgrowths of the period and lines of transition to the next. The results of this great plan of work that have already appeared are so valuable that it would seem to be the plain duty of France to see to it that these long years of preparation and the enormous organization of material already made are not lost to the world of scholarship by pressure on the author by routine labor that may in any way be avoided.

The third volume deals with a topic in which there will be perhaps more general interest than in the subjects of the first two. Its main topic is the transmission of the prerogatives and functions of the central government, the monarchy, through the age of weakness from the end of the ninth century to the end of the twelfth. The first part, of about 100 pages, deals chiefly with the author's fundamental theories, and will be considered later. The second part, which will be completed in Volume IV., considers the central government of the state in itself and in its relation to the more local powers that shared in or disputed its authority. It is impossible within any reasonable limits even to refer to the numerous topics of interest that are discussed in the treatment of this general subject. Of especial importance are: the transmission of the idea or ideal of the kingship, in which the definiteness of this idea and its value to the central government during the eclipse of the monarchy and in the reconstruction of its power are brought out more clearly than ever before; of the legislative power, in which a new view is presented of this function, making it rest not on a general lawmaking power, which it is held the sovereign never possessed, but on a high police function; of the judicial organization, treated under two separate divisions — under the royal prerogatives (considering jurisdiction, appeals, equity, and the inquest process, all of especial interest), and under the royal household (considering the different kinds of royal courts, here made three, and their composition); of the idea of peerage and the origin of the peers of France, for which a natural rather than an artificial origin is found; and finally of the relation of the great baronies or feudal states of France, lay and ecclesiastical, to the general government, including a considerable history of each, which is the special subject left unfinished in this volume. This indicates imperfectly the wide range of institutions discussed and always in a fresh and suggestive way and with some new evidence.

But it was not for the discussion of details like these that M. Flach undertook this long work. They are but incidents to his main purpose,

which is to establish a new interpretation of the history of these centuries. His fundamental thesis in general terms is that the feudal system as commonly understood did not become definitely established as the mistress of French public life until sometime in the twelfth century, that current ideas, inherited from the feudists of the ancient régime, carry back the complete possession of society by feudalism two centuries too early. Incidentally to this general thesis he parts company with current ideas on many points of detail, questions both of the origin and of the character of feudal institutions. The third volume illustrates very well the relation of his special treatment to his general thesis, since the subordinate thesis of it may be said to be that there was much more of definiteness and of extension to the royal authority during these centuries than has generally been supposed. In support of this thesis the author has certainly arrayed much evidence usually overlooked but hereafter necessarily to be taken into account. In this way the volume well illustrates what is true of the work as a whole, that its real importance is less in what the author has most at heart than in what is to him incidental to his main contention.

It is not easy to be sure that one understands the intricacies of M. Flach's system. A difficult style and an unusual vocabulary, a habit of expression, and even of thought apparently, in figurative forms, not a few subtle distinctions, and a perplexing mingling of general ideas and special cases strain the attention and confuse the judgment. But if one may trust his understanding, if there is not another explanation which has escaped some effort to find it, these three volumes would seem to record the progressive growth of a system in the author's own mind. The points on which M. Flach differs from the prevailing views on feudal history appeared but faintly in Volume I., came out more clearly in Volume II. on certain topics, and are here seen sharply and all along the line. If after completing Volume III. one will turn back and read chapter XI. of Book I., the apparent progress of ideas will be evident. There these conclusions for the end of the ninth century appear to be unquestioned: the heredity of benefices had been long established, and it was the rule that benefice and vassalage should be united in the same person; the establishment of this rule marks the passage of the beneficial system into the feudal system; the benefice in itself created the obligation of service, it was pay in advance, and on it a *contrat réel* was based which was perfectly synallagmatic and which gave the right of confiscation on failure of service. In the present volume scarcely anything of this remains. In one case M. Flach has noticed the change (III. 83), but in general he has not. This fact makes rather difficult both the study and the criticism of the peculiar ideas which M. Flach endeavors to contribute to the scientific understanding of this period, but it seems to me certain that he has failed to prove satisfactorily either his main contention as to the date of definite feudal organization or the more important deviations from generally accepted ideas that have gone with it.

Let us take a case of some importance that raises the really fundamental question of evidence and method. M. Flach mentions Normandy, Flanders, and Barcelona as the regions where feudalism first developed into the type known to the feudists. What his basis for this classification is does not appear in the present volume, though it is possible to guess; nor does it appear why on similar grounds he does not add Lombardy to the list. At any rate, the agreement in all essential details of the early formulated feudal law, or described feudal customs, in these widely separated quarters of the old Frankish empire, suggests even more than development out of a common institutional past. It suggests that if we were fortunate enough to possess legal monuments of the same character as from these regions, or the writings of chroniclers equally interested in the subject, for those portions of the Frankish empire that separated these extremes, we should find evidence throughout the whole of a development contemporary and similar, or nearly so. We get here also a logical ground for the traditional interpretation of the less systematic material that has come down to us from these interior regions, and one different from that which M. Flach supposes to be its basis, that is, the influence of the feudists on our study of the codes of the thirteenth century. Indeed, tracing the development from the ninth century in the light of the completed result in the thirteenth is not a logically indefensible process, though it might leave us sadly in the dark as to the date of intermediate changes, and this is one of the author's strongest points, but we are not really shut up to this method, as M. Flach seems to suppose.

This is one phase of what constitutes the most serious scientific defect of M. Flach's work. He has chosen to found his explanation of this period, in so far as that differs from the prevailing one, not on those portions of our incomplete evidence that link the strongly established, already victorious tendencies of the ninth century with the results displayed in the thirteenth in a continuous, harmonious whole, but on the evidence which opposes a continuity of prevailing forms, on what is rather the special instance, the survival of disappearing forms, the exceptional case. That is, the theory is open to the serious objection that, even where it is most strongly supported by the facts, it explains them no better than the older interpretation and explains no more of them, and elsewhere not so well or so completely. There is too much left to be explained away, often in a somewhat forced manner, or by virtue of a theory which itself stands in need of proof. M. Flach seems also to go upon the supposition that the date of a prevailing feudal type is fixed by the date at which formal statements of feudal law began to be drawn up. It is to be hoped that his plan includes a study of the conditions under which men began to feel themselves impelled to reduce to written statement the customary practices that had grown up. This preliminary and often informal process runs through the eleventh and twelfth centuries, and forms the introduction to the more formal codes of the thirteenth. It is a process that undoubtedly tended to eliminate exceptional

practices and was perhaps induced by them, but it does not therefore indicate the late creation of a prevailing type. Nor must such a conclusion be drawn from that late evolution within feudalism which is so clearly seen in the written law — the tendency to transform the vassal in reality from tenant to owner, while he remained in form a tenant.

It must be understood that this criticism applies only to those views of M. Flach's that are peculiar to himself. In a very large portion of his work he is in agreement with the current opinion, or his new suggestions require no serious modification of them. Here we have often to be grateful for sharper distinctions, improved emphasis, and reinforcement of evidence. In one particular we can go further than this and revise our criticism of his peculiar views. One of the most important contributions which he has made to our better understanding of this period comes through the emphasis he has placed on the rôle of the social forces, the family, the clan, the tribe, etc., in the development of feudalism. In that exceedingly complex process which we call the formation of feudalism, through which history passed from the beginning of the seventh to the close of the tenth century, social, economic, legal, and political forces, under conditions of their own creation, struggled and wrought together on the coming result, each impressed itself on that result, and in some measure helped to account for its form. It was perhaps natural, while the pioneers were blazing their way through the tangled jungle of this growth, that each should insist on the superior importance of the way which he had himself struck out and declare his exploration to be all-sufficient. The time has now come when we ought to be able to see that no one explanation contains the whole truth; that neither legal forms nor economic conditions, neither social impulses nor political necessities, were, any one of them, the controlling factor in creating feudalism, but that the product was a resultant of all these, to which each made an essential contribution. To insist, as M. Flach seems disposed to do, that he is right and that others are wrong, is to class his book with the work of the pioneers, not of the final constructors. That is in truth where it belongs, though in my opinion from its comprehensive grasp of the subject it comes nearer to a final book than any other yet written. And this particular piece of pioneer work was still needed to emphasize what we were disposed to overlook and what it seems clearly to have established, that as political authority declined in strength, society fell back on older natural bonds, the family, the clan, the ethnic unit.

It was no slight service also to raise the question of date, even if we reject the offered amendment of our ideas, and to insist on the scanty character of the evidence which supports the old notions, to make considerable additions to our evidence, and to force a careful reëxamination of all the field. It was of great value also to show more fully than before that in the tenth and eleventh centuries the old and indefinite still mingled in appreciable proportions with the new and more fixed, though the student should be warned against concluding that a great variety of

forms, an apparent confusion of forms even, means either the indefiniteness of the forms themselves, or the impossibility of tracing the pedigree of those that finally prevail through a clear line of descent to the primitive forms in which the growth began. That is the narrowing fallacy of those who refuse to allow to legal forms their proper place in the complex evolution that produced feudalism.

In the matter of the evidence brought forward, this volume differs somewhat from the other two. A marked feature of both the others was the frequent citation in full of passages from the sources, especially of unpublished ones, to such an extent as to make them almost source-books of early feudalism. The argument of Volume I. was supported mainly by evidence from the charters. In Volume II. appeared an array of evidence from a new source, the *chansons de geste*, open to obvious critical objections, but handled by the author with care and skill. Volume III. brings into the field still a new array, drawn now from the saints' lives and from sermons, open to the same objections, but handled with the same care. The volume differs, however, from the first two in the amount of quotation, which is quite distinctly less.

In conclusion it is to be said that while M. Flach's work is a most suggestive and valuable contribution to the history of early feudalism, it cannot be accepted as a safe guide for the beginner. It is a book for the special student, for one who already knows the evidence and the prevailing interpretation of it, and who can estimate critically the author's use of it and his new conclusions. The special distinction of the book is that those who know the most about its subject, and perhaps those who least accept its peculiar views, will gain the most from it.

GEORGE B. ADAMS.

Medieval England: English Feudal Society from the Norman Conquest to the Middle of the Fourteenth Century. By MARY BATESON, Associate and Lecturer of Newnham College, Cambridge. [The Story of the Nations.] (New York: G. P. Putnam's Sons. 1904. Pp. xxvii, 448.)

As might be expected from a writer whose editing of *The Records of the Borough of Leicester* has given her a conspicuous place in early municipal history, Miss Bateson's *Medieval England* is distinctly above the level of the long series of which the new volume forms a part. Much more new material, the result of painstaking research in a field not hitherto overworked, has gone into this volume than into some of its predecessors in the "Story of the Nations" series. The work, while characterized by directness and clearness of narrative which cannot fail to make it readable, bears the mark of scholarship. There was a place for a book of moderate size with the aims and on the lines of Miss Bateson's work. There was a constituency of general readers awaiting it; and Miss Bateson has adequately occupied the field.

National politics comes in for little attention. There is but a passing allusion to the beginnings of the House of Commons; and this only in relation to taxation in the municipalities. The main lines of political movement are assumed to be understood. Miss Bateson's aim has been to keep social rather than political conditions in view; but there is in the volume much concerning the beginnings of town life, and the marked progress of municipal institutions in the last fifty or seventy years of the middle ages. The exact period covered by Miss Bateson's study is from 1066 to 1350; and her attitude toward the subject is shown by her subdivisions. These are: Norman Feudalism, from 1066 to 1154; The Lawyers' Feudalism, from 1154 to 1250; and Decadent Feudalism, from 1250 to 1350. Excluding national politics, there is not a phase of English life in these three centuries which is not freshly illuminated in Miss Bateson's pages. The social side is predominant throughout—the life of the court, of the baronial hall and the manor-house, of the villain and the freeman, and of the abbey.

As is natural in a book written by a woman, particular attention is given to the life of women, to their daily routine, their social duties, and their pleasures, and to their accomplishments in art and literature. The material for this in the earlier part of the period is, as Miss Bateson explains, only scant. But it has been unearthed wherever it was discoverable; and Miss Bateson's treatment of this part of her subject gives the feeling that nearly all has been said that it is yet possible to learn of women's lives and interests between the Norman invasion and the gradual partial breakdown of the feudal system.

Miss Bateson has taken a comprehensive view of social England. In her four hundred pages she has covered the beginnings of the civil service; the organization and internal economy of the church; the conditions under which lawyers began to be a class apart; the beginnings of the universities; the condition of popular education; and the changes in the economy of agriculture. She also covers the beginnings and developments in municipal institutions, and of trade and social guilds. As regards these, most attention is given to the municipal institutions and guilds of London. These were the models for similar institutions in the provincial cities and boroughs; and as Miss Bateson shows, they were rightly taken as models; for by the end of the period London, with a population of at least 90,000, was divided into twenty-four wards; its gates were well armed; its municipal council was well organized and active; it had its own law-courts; and in a word, in everything municipal London by 1350 was half a century in advance of the best-organized municipality in the provinces.

It is noteworthy that even at this early period local government was carried on, as at the present time, by men who received no pay.

Only the actual out-of-pocket expenses of authorized officials were defrayed by the common chest, and there might often be a difficulty in obtaining even these. The Mayor of London received a large grant for the maintenance of hospitality, £40, but in small towns 20 s. sufficed.

A town-clerk and town-sergeant received small salaries, but the list of paid officials is always very short (p. 397).

In municipal service, in relation to the church and also to rural economy, customs and characteristics that are found in English life to-day had all come into existence by 1350. Some of them were already well-established. It is this fact which makes Miss Bateson's book of interest and permanent value. It is a book which should specially commend itself to educated Americans who are contemplating a sojourn in England. A study of it will help to the understanding, not only of the building of the cathedrals and abbeys and castles, and of their place in medieval life, but also to a comprehension of the present-day organization of the cathedral staffs, as well as of municipal conditions and some phases of modern rural economy.

There is a chronological table of twenty pages, beginning with the crowning of William the Conqueror and ending with the Black Death of 1349. Illustrations are numerous, but most of them have no close relation with the text.

EDWARD PORRITT.

The Oligarchy of Venice: an Essay. By GEORGE B. MCCLELLAN.
(Boston: Houghton, Mifflin, and Company. 1904. Pp. iv, 216.)

MAYOR MCCLELLAN's purpose is to trace the origin, growth, and ascendancy of the oligarchy at Venice, and to show that, from the moment the oligarchs got control, the republic inevitably decayed. He has no difficulty in accomplishing this to his own satisfaction and to the conviction of any reader who supposes that because a demonstration is simple it is necessarily true. Most of the glittering generalities with which histories of a certain kind are now filled out owe their semblance of truth to the careful omission of inconvenient details. But in the story of Venice one must not make the oligarchy the scapegoat of all her ills unless he is prepared in justice to show how essentially it contributed to her prosperity.

One would scarcely realize from Mr. McClellan's pages that after the oligarchy was completely organized, Venice did anything but go to pieces. Yet for her to make head at all against the League of Cambray, and to recover her strength so far that she was still formidable for two centuries, was the best proof that the oligarchy was not palsied. To save herself from the Spanish plots, at the time when Spain stood paramount in Europe, certainly does not argue feebleness. Historians are accustomed to sing the praises of sturdy Elizabethan England and of brave little Holland for successfully resisting Philip II.; Venice deserves scarcely less credit for circumventing his successors, but Mr. McClellan fails to give her credit for the service she then rendered. Even less does he indicate her epoch-making resistance to the interdict in 1606, when, under the counsel of Sarpi, she drew the sting of ecclesiastical interference in political affairs. And surely the immense burden which the oligarchy bore during the seventeenth century in its combat with the Turk ought not to be ignored.

But Mr. McClellan's excuse may be that he was concerned only to analyze the formation and character of the political machine at Venice, not to write a history of public events. If this be his position, it illustrates the inadequacy of mere constitutional studies or of descriptions of governments as they exist on paper. Unless an analysis of the Venetian oligarchy be supplemented by a statement as to its actual working, we are left with only a theory, an abstraction, to speculate over. The business of the historian is to know not merely what ideals men put on the statute-book and disregarded, but what they did and what they attempted to do. A stranger from reading the municipal ordinances of Greater New York might imagine that metropolis to be the New Jerusalem, instead of a political cesspool. So conversely, although Mr. McClellan would have us suppose that an oligarchy is almost necessarily bad, we insist on asking to have it explained how the assumed bad Venetian oligarchy so efficiently saved the republic against the League of Cambray, and the Spaniards, and the interdict, and maintained that gallant struggle against the Turk.

Questions deeper still Mr. McClellan passes by unnoticed; for instance, we should like to have discussed the contrast between the stability of Venice and the political hysteria of Florence or Genoa. That would lead to a broad consideration of the terms on which any stability could be attained in Italy from the days of Charlemagne to those of Charles V. And somewhere in the essay we ought to learn how it was that if Venice was the oligarchy, and the oligarchy was detestable, nevertheless the Venetians had a beautiful devotion to Venice. Mr. McClellan has given us, at the most, a skeleton of the political development, but suppose you saw in a museum the skeleton of Bismarck or of Cromwell, how much would that alone help you to know what the man was, thought, or did?

W. R. THAYER.

Christopher Columbus: his Life, his Work, his Remains, as Revealed by Original Printed and Manuscript Records, together with an Essay on Peter Martyr of Anghera and Bartolomé de las Casas, the First Historians of America. By JOHN BOYD THACHER. (New York and London: G. P. Putnam's Sons. 1903-1904. Three vols., pp. x, 670; vi, 699; vii, 775.)

THIS is the most voluminous and sumptuous work devoted to Columbus that has ever been published in the United States. It is not merely magnificent in appearance and proportions, but its contents are based on a more conscientious study of the original sources than has been the case with any life of Columbus published in this country since Irving's. In addition, it brings within the reach of American students considerable material hitherto accessible only in the *Raccolta di Documenti e Studi* published by the Italian government or in the Duchess of Berwick y Alba's *Nuevos Autógrafos de Cristóbal Colón y Relaciones de Ultramar*. In the preparation and publication of these volumes Mr.

Thacher has rendered to American students of Columbian questions a great service, which will be appreciated by those who have occasion to prosecute such studies. This I can say from actual use of his first and second volumes. Such use has, to be sure, revealed errors which ordinary reading preparatory to writing a review might have overlooked, but on the other hand it has unmistakably demonstrated that the work is in the main based on the primary sources.

Among the original materials for the life of Columbus which Mr. Thacher has printed, accompanied by English translations, are extracts from Peter Martyr's *Epistles*, the two Genoese lives by Gallo and Senarega from Muratori, Giustiniano's life from his *Psalter*, the various versions of the Toscanelli letters, considerable extracts from Las Casas's *History of the Indies*, the *Journal* of the first voyage, the Santangel and Sanchez letters in facsimile and translation, facsimiles and translations of the demarcation bulls, the treaty of Tordesillas, facsimile and translation of the Syllacio-Coma letter on the second voyage, the Chanca letter, the de Torres memorandum, the narrative of the third voyage from Las Casas, the letter to the nurse of Prince John, the *Libretto* in facsimile and translation, the Porras and Mendez narratives relating to the fourth voyage, and the *Lettera Rarissima* in facsimile and translation. Of these documents it may be remarked that the three Genoese lives and Las Casas's account of the third voyage have never appeared in English before; that of the *Libretto De Tutta La Navigazione De Re De Spagna* (Venice, 1504) only one copy is known and that it has never before been reproduced in facsimile.

In his third volume Mr. Thacher reproduces the most famous of some forty of the alleged portraits of Columbus, which he classifies according to types, giving the provenance of each example. To the handwriting of Columbus over 350 pages are devoted, in which are reproduced in facsimile a great variety of his autograph letters. These are all translated into English. Mr. Thacher next takes up the questions relating to Columbus's death and burial-places, and in particular the question of the removal of his remains from Santo Domingo to Havana in 1795. He decides that the remains were not those of Columbus, and that consequently his ashes still repose in the island which he discovered and colonized. Next the lines of descent from Columbus are carefully traced and illustrated with genealogical tables.

It will be seen from this brief outline that Mr. Thacher's work brings within the reach of libraries a considerable range of material often not accessible except in our great collections. In regard to the quality of the execution, it is but fair to say that one gets the impression of an alert and studious mind, exceptionally equipped in the minutiae of the bibliography of rare Americana, with a thoroughly sound instinct as to historical material, and at times a keen critical insight, yet after all lacking the sure learning of the trained scholar. Mr. Thacher sees some things that some highly trained scholars have failed to see because they have not read the sources as he has read them, and then again he makes

blunders that would be almost impossible for the technically trained student. A few examples will illustrate my point: He has discerned, and I believe rightly, that the *Historie* or *Life of Columbus* by his son Ferdinand is so demonstrably based on Columbus's own journals and papers that HARRISSE's attack on its authenticity cannot stand; again, Mr. Thacher decides rightly, I believe, that the letter of Columbus which he prints in Volume III., 100 ff., should be dated in 1493, although the learned editor of the *Cartas de Indias* placed it in 1497. On the other hand, he can make such a slip and such a conjecture as the following: Peter Martyr writes in 1489 of the wide prevalence of the *morbus Gallicus*, "qui appellatione Hispana Bubarum dicitur" ("which the Spaniards call bubarus"), to which is appended the note: "This we take to be a compound Greek word βου and βαρος, 'exceeding grievous'" (I. 86). As a matter of fact "Bubarum" is the genitive of "bubæ", Peter Martyr's Latin for the Spanish "Las bubas".

Outside of the special field of Columbian scholarship, Mr. Thacher's historical studies have not been carried very far. The Calif Omar is once more condemned for destroying the Alexandrian Library (I. 15); of the Donation of Constantine he remarks, "The donation of *all Italy* by Constantine to Sylvester has been denied by many. . . . The instrument of donation is by many regarded as not genuine" (II. 86); Sir John Mandeville is still a genuine traveler (I. 171); and Adam of Bremen is said to have put the story of Wineland told in the Sagas "into a poem, a sort of cosmographical treatise" (I. 393).

The monographs on Peter Martyr and Las Casas are readable essays and bring out the essential facts as to their lives. That on Peter Martyr includes, as has been said, the principal passages in his letters relating to the New World. To the student of the discoveries Peter Martyr's *Letters* and *Decades* and Las Casas's *Historia* are of vital importance, and he is at once confronted by fundamental critical questions. Are Peter Martyr's letters genuine contemporary material of the date they profess to be, or do they also contain later interpolations of the nature of recollections and of the results of subsequent investigations? In what instances and to what extent does Peter Martyr report information gathered orally from the discoverers or embody the substance of documents no longer extant? What materials lay back of Las Casas's narrative? These questions are of the first importance for a biographer of Columbus. Then again, the scholar in reading a critical discussion wants to be put abreast of the best recent literature of the subject. Mr. Thacher rarely does this; in fact he does not, I think, give an adequate amount of credit for what has derived from the *Raccolta*, from HARRISSE, and from other writers. In other cases one has the misgiving, if not the conviction, that the critical literature has not been studied.

Take, for example, the question of the trustworthiness of Peter Martyr's letters. Of all the Peter Martyr literature the only author with whose criticisms Mr. Thacher deals is Hallam. To his offhand strictures twenty-four pages are devoted. There is no intimation of the illu-

minating criticism of von Ranke, whose four pages on the subject (*Zur Kritik Neuerer Geschichtschreiber*, 101-104) would have compelled Mr. Thacher to grapple with the question in a way that Hallam did not. Bernays is referred to once and Schumacher once, but without mentioning his name. Gaffarel is quoted in relation to Las Casas but not on this problem, while Mariéjol, Heidenheimer, Pennesi, and Gerigk are not mentioned.

Again, in relation to Las Casas's famous controversy with Sepulveda, Mr. Thacher takes from Helps the statement without verification that Las Casas "occupied five full days in reading his *Historia Apologetica*, composed for the occasion" (I. 154). If Mr. Thacher had read any of the *Historia Apologetica*, he would, I think, have concluded that Helps was in error. If he had read Fabié's *Vida y Escritos* of Las Casas he would have learned that an abstract which has come down to us of what Las Casas read on that occasion proves conclusively that it was not the *Historia Apologetica* but a work no longer extant.

In presenting so large a body of translation as this work contains, from the Latin, Spanish, and Italian, and from texts not previously translated, errors are to be expected. As a whole the translations are readable and trustworthy. In any event the original is before the reader who wishes to try his own hand at it. Two or three strange blunders may be noticed: At the bottom of I. 66, "Triginta utriusque sexus" (thirty of both sexes) is rendered "thirty-six others". On I. 72-73 "Ignosce si sum brevis, et propterea obscurus" is rendered "Ignore my brevity and consequently my lucidity". In other cases the translator has lacked a knowledge of Renaissance Latin, as on I. 199, where Senarega explains the word *carminatores*, which he thinks will puzzle the ordinary reader: "Carminatores ii sunt, quos vulgus Scarzatores appellat", "Those are carders whom the world calls *scarzatores* — combers." The proper translation is, "Carminatores are called *scarzatores* in Italian." Occasionally Mr. Thacher fails to control effectively his own material. In Volume II. he asserts, "There has been speculation as to whether or not Columbus ever read Marco Polo. . . . It seems to us most probable that Columbus did know it" (II. 619); yet in Volume III. 461 he describes the edition of Marco Polo which was in Columbus's possession and refers to his marginalia in it which are reproduced in the *Raccolta*. The evidence that Columbus read Marco Polo is far better than any that can be advanced for his having corresponded with Toscanelli. On the Toscanelli question Mr. Thacher effectively supports the orthodox view.

Taken all in all, Mr. Thacher's *Columbus* is a very distinct advance on his *Continent of America*. In that work Mr. Thacher committed himself, as Mr. Fiske did, to Varnhagen's hypotheses about Vespucci's first voyage and consequently against the view of almost if not quite all the most competent critics of to-day that have gone into the question thoroughly. In no single important question in his *Columbus* is the reader likely to be misled into thinking a view to be the right one which is nearly univers-

ally rejected. The merits of the *Columbus* are positive. Its defects are in most cases of a kind that will not seriously detract from the merits. It would have been more useful if Mr. Thacher had given more references to back up his text, and if somewhere he had provided a bibliography of modern critical works on the subjects that he has treated. The index is very full and, so far as I have tested it, very good.

EDWARD G. BOURNE.

A Short History of Mexico. By ARTHUR HOWARD NOLL. (Chicago: A. C. McClurg and Company. 1903. Pp. xi, 317.)

From Empire to Republic: the Story of the Struggle for Constitutional Government in Mexico. By ARTHUR HOWARD NOLL. (Chicago: A. C. McClurg and Company. 1903. Pp. x, 336.)

MR. ARTHUR HOWARD NOLL in 1890 published *A Short History of Mexico*, which is now issued in a new edition, "thoroughly revised, and with new matter". An accompanying volume, having to do with the struggle for constitutional government, has just been issued and has been entitled *From Empire to Republic*. And, at the outset, let it be said that the latter book is much more deserving of praise, though neither can claim the indorsement of the careful student.

It may seem to some extravagant for one, upon assuming the rôle of historian, to incorporate in a preface such a motto as the following: "The sources whence the information contained in the book is derived are so many and various that it would be a waste of space to enumerate them." It is also not over impressive to learn:

This brief history was prepared with the writer's own needs in view. Having accomplished what he had vainly hoped to find accomplished for him, he at first thought of offering his work to the tourists in Mexico to aid them in enjoying the sights of that country. This idea was abandoned after the manuscript was in the hands of the publishers, in deference to the opinions of others that the book would be beneficial to the public generally, — no less in need of such a history than the tourist.

Even if the author had observed greater reticence in laying down the lines within which his work fell, the reader with any knowledge of the story of the New World and of Mexico's setting in it would soon have discovered that the *Short History* more nearly approximates a guide-book. Historical accuracy and historical method are alike cast to the wind — everywhere are the earmarks of a compilation. The great drama of the unfolding of an empire is for the author only a lot of isolated pictures, the most significant of which, for the benefit of the casual reader, have been marked with stars in the manner of Murray or Baedeker. Quite apart, however, from the failure to grasp the essentials of the development of Mexico, there are historical inaccuracies of a nature and quantity to deter the boldest purloiner of historical data.

Mr. Noll, in the opening chapter of the *Short History*, which has to do with archæological matters, seized with avidity upon the legendary

tale of the wanderings of the Aztecs from Aztlan, "'somewhere north of the Gulf of California,' perhaps in the locality where are found the remarkable Cliff houses of Colorado and New Mexico", to their final stopping place. On pages 17-18 he says:

In the marshy islands near the western borders of Lake Texcoco, representatives of the poor tribe of Mexicans, wandering about in search of a place of rest, saw an eagle standing upon a *nopal* (prickly-pear cactus) strangling a serpent. This was received as a sign that the gods had selected that spot for their future home. Accordingly there was established upon that spot, in the year 1325, the nucleus of the pueblo of Tenochtitlan; that is, "the place of the *Tenuch*," or *nopal*.

This became the famous city of Tenochtitlan, or Mixtli of the time of Cortés, the Mexico of to-day, and which, it may be said once for all, occupies throughout the book the center of the stage.

We are treated to a considerable account of the conquest, which is perhaps surpassed in elements of barbaric and heroic glamour by no other chapter in the history of the Americas. It is hardly necessary to say that the romance which has beclouded the conquest has not been dispelled in this account. Marina, the leap of Alvarado, the *Noche Triste* are still intact. Another point here, in passing. Montezuma is deliberately spelled Moteczuma! For this there can be no legitimate excuse. Moteczuma may have been discovered by Mr. Noll to be the correct spelling of the name of the fated Aztec warrior-king, but it is too late a day to compel the English public to accept such a form. One might as well insist on Colombo rather than Columbus.

The long period of the viceroys is little calculated to inspire one with respect for Spanish governmental institutions, for to follow the *Short History* there was developed no national life, and Nueva España or Mexico was hardly more than a vague territorial expanse, bordered on most sides by the unknown. As exemplifying detail and accuracy (p. 121) we learn that the successor to Viceroy Rivera "was Don Tomas Antonio Manrique de la Cerda, Marques de la Laguna, y Conde de Paredes. His reign is marked by the sack of Vera Cruz by the famous pirate, Agramont, and by the colonization of Texas and California." This will prove edifying, for the marquis retired from power in 1686 and the first settlement in Texas was made four years later. In connection with this may be noted (p. 123) that the Count of Galve accomplished the conquest of Texas in 1691! One might be tempted to inquire what manner of conquest this was. Also it might be pertinent to remark that surely the viceroys had small matters to engage them, when (p. 143) the suppression of the Nolan expedition into Texas by Marquina is chronicled as one of the two or three great events of his reign!

The chapter dealing with the revolution of Mexico is most unsatisfactory. While the author grasped some of the leading elements which fomented the rupture, his carelessness in details and in the presentation of the facts is utterly inexcusable. The tale of the outbreak, the *Grito*

of Dolores, is largely fiction; and nowhere in official annals can warrant be found for the figures given of the insurgent forces — they are estimated at from 50,000 to 60,000 (p. 151) when at Celaya. Much further from the truth is the statement that Guanajuato was sacked and "the people found therein were put to the sword". It is needless to pursue the subject, but mention ought to be made of the conflicting accounts that the two books give of the trial and execution of Hidalgo, Allende, Aldama, and Jimenez at Chihuahua. In the *Short History* (p. 156) they are all executed July 30; in *From Empire to Republic* (p. 49) the three generals were shot "some time in June", while Hidalgo was executed July 31.

The comparatively difficult period of Mexican history, beginning with the success of the revolution and leading down through the Mexican War and the empire of Maximilian, remains for us comparatively difficult, though *From Empire to Republic* has elucidated many of the problems left in most unsatisfactory state in the *Short History*. But even here one cannot rely, apart from other testimony, upon the facts reported. For the student of European history it will prove engaging to learn (*From Empire to Republic*, 24) that "For many years, Spain had been under the spell of the French Revolution", and that the treaty of San Ildefonso (p. 25) was made in 1801. Equally erroneous is Mr. Noll's statement (p. 48) that Hidalgo "attempted to send a commissioner to the United States; but the commissioner was made a prisoner by the Spaniards." As a matter of fact Bernardo Gutierrez, a commissioner from Hidalgo, made his way to Washington, where he received no recognition, and, returning to Louisiana, in conjunction with Magee led the most famous of all filibustering expeditions into Texas, routing three Spanish armies. Another point just here: Santa Anna's army (p. 134) is made to appear to be 8,000 strong at the battle of San Jacinto, which was won by the Texans, yielding them their independence. The inference (p. 155) that Texas and Mexico ever maintained diplomatic relations is palpably erroneous; as is also the statement of causes of the Mexican War (p. 160). Want of judicious attitude is perhaps nowhere shown more forcibly than when lauding the work of President Diaz: "A system of public schools has been built up which is surpassed by nothing elsewhere in the world" (p. 302).

This notice cannot be concluded without remarking that the author has taken certain liberties with the Spanish language. He writes, for example, Manuel Godoy and Carlos Maria Bustamante, omitting the *de*, which is tantamount to missing the name altogether. Again, he adopts the forms Quichés, Casas Grandes (if there is more than one the reviewer never heard of them), and Moteczuma (of which mention has been made); omits the accent from such words as Querétaro, Bolívar, Alhóndiga, but places it on Goliad; and translates *golpe de Estado* "a blow to the State". One typographical error is serious: in the *Short History* (p. 134) Galvez is made to assume the viceroyalty in 1873. In fine, spite of the formal bibliography appended to *From Empire to*

Republic, it is evident that Mr. Noll failed to make the most of his opportunities, and we can but regret with him that no "comprehensive history of Mexico exists in the English language".

WALTER FLAVIUS McCALLEN.

A History of the United States for Secondary Schools. By J. N. LARNED. (Boston: Houghton, Mifflin, and Company. 1903. Pp. xxx, 623, 78.)

MR. LARNED tells a story effectively; the many transitions necessary in a text-book are handled skilfully; the logical grouping by topics, rather than the common arbitrary arrangement by geographical divisions and presidential administrations, merits all praise. No other volume will give the young reader so vivid an impression of some important periods and movements.

Seventeen maps are grouped conveniently into an atlas at the front of the volume, and smaller maps are sprinkled plentifully through the text. Other illustration there is none. The bibliography contains about 350 titles, many single titles covering ten or twelve or a hundred volumes. The list is not adapted to the needs or possibilities of secondary schools. At first one might suppose it designed to indicate the author's reading; but, turning to the suggested readings for students, in three passages taken at random I find reference to Kingsford's ten-volume *History of Canada*, Force's *American Archives*, the *Works of Adams, Jefferson, and Franklin*, Dickinson's *Writings*, the New York state documents, and *The Annual Register* for 1765, besides such special or costly studies as Winsor's *Memorial History of Boston*, Frothingham's *Siege of Boston*, Hosmer's *Hutchinson*, Tudor's *Otis*, Morley's *Walpole*, and Fernow's *Ohio Valley*. In another respect these "Suggested Readings" and "Topics" at the close of the chapters are unsatisfactory: the topics are little more than a repetition of the headings of sections and paragraphs in the text, and the even distribution of references among all topics alike can afford no guidance to the pupil. Moreover the arrangement is wasteful. Chapter XII., "The Jackson Period", contains only twenty-seven pages, but the topics and references at the end take eight pages.

These superficial blemishes are not the worst. The book does not show the spirit or the results of the best scholarship. With at least three recent and admirable text-books already in the field, the public expects the maker of a new text on American history to have intimate and critical acquaintance with some important parts of the subject. Evidence of such qualification is not forthcoming. The book is the work of a gentleman of wide reading and good taste, but not of a historian or a teacher.

To illustrate the more serious faults, I take the treatment of England's commercial policy toward her colonies (pp. 111-113, 128, 132, 133). The old accounts by Bancroft, Hildreth, and Frothingham are followed, and to these writers almost exclusively students are sent for fur-

ther reading. "English" ships, in the meaning of the Navigation Acts, are represented as excluding colonial ships. A highly inflamed and misleading piece of rhetoric from Bancroft is quoted through a half-page of fine print. Lecky's more scholarly treatment is referred to twice in the "Readings", but one of these references is upon a point in which Ashley has shown Lecky at fault. There is no indication that the author knows of the light thrown upon the whole subject by such writers as Channing and Ashley, to say nothing of the special studies by Egerton, Beers, or Miss Lord. An excessive number of minor errors characterize the work. To enumerate them in detail is obviously impossible in this review. I select three periods, and mention for each those misstatements which can be indicated briefly. First, in the early colonial period the London Company (p. 36) is confused with the London merchants who provided financial aid to the Pilgrims. The false idea that the Massachusetts Bay Company's charter was exceptional and liberal in character is strongly emphasized (p. 39). The account of political development in Massachusetts Bay (pp. 65, 66) is crammed with errors. The charter did not provide for "twelve" assistants, but for eighteen, and in the early period after coming to America the company never elected even as many as twelve, though we are expressly (and needlessly) told both these things. "At the outset" the assistants did not elect the governor—not until after a great unconstitutional usurpation, which is ignored in the account. The representative legislature was not created in the "third year" but in the fifth; and it was not composed as stated by Mr. Larned. As such misstatements might lead us to expect, the spirit of the period is wholly missed. The passage regarding Winthrop's terms of office (p. 45) is not important, but it is not correct. The colonial charter of Rhode Island did not restrict suffrage to freeholders (p. 430): that restriction, of course, was established by statute some sixty years after the date of the charter. It is astounding to read (p. 129) that "never elsewhere does there seem to have been such madness" on the subject of witchcraft as at Salem. The statement (p. 62) that the Virginia Assembly of 1619 was "probably the first colonial legislature in the world since those of the ancient Greeks" flatters the Greeks and depreciates the later Romans and the very much later English colonists in Ireland. The allusion to the Ordinance of 1621 (p. 62) implies the non-existence of the greater Charter of 1618. The expression "nullification of the charter by James" is an unhappy way of alluding to the revocation of the Virginia Company's charter (p. 76).

Passing down about a century, and a hundred pages, I note the following points in the treatment of prerevolutionary days. The Stamp Act is said to have "imposed a direct tax" (p. 164). The Regulators of the Carolinas appear as warring solely against "royal" authorities (p. 171). The allusion to the Mecklenburg Resolutions ("which are claimed to have been the first demand for independence", p. 197) will countenance the exploded legend for the audience to whom this book is

addressed. It is wholly improper (p. 172) to style the Watauga Association "the first practically independent commonwealth on American soil", whether or not the words are meant as a quotation. The great Intercolonial Committees inaugurated by Virginia (p. 173) ought not to be confused in character or origin with the merely local committees within Massachusetts, or within any other colony. Foolish as were the acts of the government of George III., we hardly expect in this day to hear a sober text-book apply to them the epithet of "atrocious despotism" (p. 175). The whole account gives an undue impression of unanimity among the colonists and practically ignores the respectable loyalist element.

Omitting about another hundred pages, I note a few statements regarding the establishment of the Constitution and of the government under it. Washington did not "consent in December" (p. 257), nor for some months after, to accept his appointment to the proposed Philadelphia Convention. It was not the Ordinance of 1784, but only the clause in it regarding the exclusion of slavery, which Congress "did not adopt" (p. 264). John Adams did not receive "a majority of the second votes" (p. 266). The passage (p. 274) on Hamilton's financial policy can leave no other impression than that the continental currency was redeemed in full. The Constitution did not "require" the importation of slaves to be stopped in 1808, as stated on page 320.

W. M. WEST.

A Catalogue of Notable Middle Templars. By JOHN HUTCHINSON, Librarian to the Honorable Society of the Middle Temple. (London: Printed for the Society. 1902. Pp. xiv, 284.)

A Calendar of the Middle Temple Records. Edited by CHARLES HENRY HOPWOOD, K.C., one of the Masters of the Bench. (London: Published by order of the Masters of the Bench; sold by Butterworth and Company. 1903. Pp. xxiv, 268.)

UNTIL within the last few years very little has been known of the history of the four inns of court—Gray's Inn, Lincoln's Inn, and the Inner and Middle Temples—wherein the English law-student eats his dinners and performs the exercises antecedent to a call to the bar. Sir William Dugdale, of whose *Origines Juridiciales* nearly the whole of the first edition was burned in the fire of London, was the principal authority on the subject and, in fact, almost the only reliable source of information. He had access to the manuscript records of the four inns, and it is only during the past eight years that his extracts have been supplemented to any considerable extent.

Since 1896 the Honorable Societies of the Inner Temple, Lincoln's Inn, and Gray's Inn have printed portions of their records and also of their admission registers. In that year, too, Mr. C. H. Hopwood edited an old manuscript dated 1739, containing *Observations on the Constitution Customs and Usage of the Honourable Society of the Middle Temple*.

To this book have now been added two others. In one Master Hopwood has made a calendar of the minutes of the parliament of the inn from 1501 to 1703 upon the lines adopted in the publications issued under the direction of the Master of the Rolls. To this have been added extracts from the account-books of the inn between the years 1637 and 1800. The result is a volume affording many items of information concerning the history of the inn. It is possible to trace the erection of the different blocks of chambers and the method of raising the cost of them. Of course there is constant mention of the noble hall that for more than three centuries has been the center of the life of the inn. It was the scene of the meetings of the governing body, whose proceedings provide a résumé of the rules and constitution of the inn, and of the masques and revels to which, at one time, the members paid considerable attention. As the round Temple Church is under the joint control of the Middle and Inner Temples, the minutes of the parliament also afford some information concerning that notable building.

The other volume is by Mr. Hutchinson, librarian to the Middle Temple. The plan upon which he proceeded was to search the admission-books of the inn for the names "of such Englishmen or others, being British subjects, as have been considered deserving of a place of record in any standard work of British Biography". The result is a list containing nearly one thousand names, to which he has added biographical notices for the sake of ready reference which "contain only the salient facts in each instance". The value of the work lies in the information drawn from the registers. It has revealed the fact that a large number of men were members of the inn of whom it is not generally known that they had the least connection with it. Some were admitted *honoris causa*, while others were entered at the inn by their fathers, who were members before them, and did not pursue their studies. It must be remembered, too, that a course at one of the inns of court was considered part of a liberal education, so that young men who had no intention of practicing law joined the fellowship and afterward attained high positions in the state or in some other walk in life. In looking through this *Catalogue*, therefore, one cannot fail to be impressed with the point upon which Mr. Hutchinson justly lays stress, and that is the varied activities to which members of the Middle Temple have at one time and another contributed, not only by their writings in almost every department of intellectual activity, but also by their actions.

Drake, Frobisher, Hawkins, and Raleigh are among those whose names may be found as members of the inn in the sixteenth century. Armagil Waad, commonly known, though with slight justification, as the English Columbus, is thought to have been a member. His admission would probably have occurred between the years 1524 and 1551. The volume covering that period has been missing, unfortunately, for a long time. In 1596 George Sandys, a son of the archbishop of York, who was for some years afterward a troublesome resident in Virginia, was admitted to the inn, and in the following year George Percy, one of the

Northumberland family, who acted for some time as deputy-governor, but left, shortly before the arrival of Sandys, in 1612. The dedication to the laws of Virginia, published in 1662, stated that the author of all the best was Governor Sir William Berkeley, so that he may be regarded as having made good use of his training at the Middle Temple. *Virginia Impartially Examined*, by William Bullock, was written from chambers in the inn and contains an admission that the author had never seen the country of which he pretended to write a description.

The remarkable feature in the *Catalogue* is its revelation of an indirect contribution by the Middle Temple to the history of the United States at a most vital period. Among those who signed the Declaration of Independence are to be found Thomas McKean, admitted May 9, 1758; Charles Carroll of Carrollton, admitted October 19, 1751, and called to the bar November 22, 1754; Thomas Heyward, admitted January 10, 1765; Arthur Middleton, admitted April 14, 1757; and Edward Rutledge, admitted January 12, 1767, whose elder brother John had been admitted October 11, 1754, and called to the bar February 8, 1760. The *Catalogue* also includes the names of John Dickinson, the "Pennsylvania Farmer"; Arthur Lee, who was also a member of Lincoln's Inn; William Livingston, admitted October 29, 1742; and Peyton Randolph, admitted October 13, 1739, and called to the bar February 10, 1743. There seems, then, to be substantial ground for the claim that by the legal training imparted under its auspices the inn assisted to provide a sound foundation for the Federal Constitution and laws, as well as for those of the states.

To make a list only of those whose names are known throughout the world would take more space than there is at my disposal, but mention may be made of one other distinguished member. Although the *Catalogue* is confined to those who are dead, Mr. Hutchinson has made an incidental reference to the fact that King Edward VII. is a bencher and ex-treasurer of the Middle Temple.

A note may be added of one or two points in the *Catalogue* which will require attention in any future edition. Anthony à Wood states that it was in October, 1686, that Elias Ashmole, then a barrister of twenty-six years' standing, refused a call to the bench and not "a few days" after his call to the bar. According to Joseph Foster's *Alumni Oxonienses*, Peter Stafford Carey graduated in 1825, not 1829. "Mr. Frankleyn, Dean of Windsor", who, as stated in the *Calendar*, was "released from the Society for a fine of £3", seems to be an omission from the *Catalogue*, as a notice of him is included in the *Dictionary of National Biography*. On pages 72 and 196 are blemishes for which the printer is responsible, and in the notice of James Bainham "Chertsey" should read "Chelsey".

C. E. A. B.

Jean Calvin: les Hommes et les Choses de son Temps. Par EMILE DOUMERGUE, Professeur à la Faculté de Théologie de Montauban. Tome II., *Les premiers Essais.* (Lausanne: Georges Bridel et Cie. 1902. Pp. xii, 815.)

THE first volume of Professor Doumergue's monumental work brought Calvin as far as the publication of the *Institutio Christiana*, in 1536.¹ The second volume, the preface of which is dated at Montauban, November 25, 1902, portrays him, in turn, in Italy, at that strange ducal court of Ferrara, where the sister of a French king, bound by a political marriage to the son of Lucretia Borgia, was endeavoring to live secretly according to the Reformation and to protect a church after her own heart; at Geneva, where the future reformer is retained by William Farel in order to commence his life-work; at Strassburg, where he spends three years in exile, years of initiation into great duties and large responsibilities; finally at Geneva once more, whither, in 1541, the Councils recall him, ready to follow unreservedly the guidance of his genius. M. Doumergue has entitled this part of his work *Les premiers Essais*, and has dedicated it to the memory of that revered guide whose loss the historians of the French Reformation feel every day more keenly — Aimé-Louis Herminjard.

In accordance with the comprehensive plan which he has followed from the beginning, the biographer of Calvin takes the opportunities offered by his hero's various abiding-places and numerous meetings with representative men to present to his readers a complete series of studies in antiquities and in the history of civilization. Not only does he narrate, in great detail and with a wealth of illustration and documents, the histories of Ferrara, of Strassburg, and of Geneva, up to the day of Calvin's advent, but Frankfort, Hagenau, Worms, and Ratisbon, where the reformer stopped on occasions of theological lectures and discussions, form the subjects of veritable monographs. M. Doumergue has taken the trouble to visit all the places of which he speaks, and what is more, he has seen them with seeing eyes. With the aid of numerous reproductions of prints and original drawings, and with the further aid of his pen, which he handles like an artist's brush, he restores to them, as he passes through, their sixteenth-century aspects, and with his true explorer's enthusiasm he carries us, in spite of ourselves, along with him. We return from that journey through time and space with an infinite stock of information. I cannot assert that we return unwearied. The enthusiasm of the biographer for everything which, directly or indirectly, relates to his hero cannot sustain, at least to an equal degree, the attention and interest of all his readers, and for the majority of them he lingers too long over that which has only a remote bearing. Possibly the very wealth of illustration at his disposal is responsible, in some measure, for this defect. The rapid development of processes of reproduction has in a few years doubled the suggestive power of history. The

¹ See the AMERICAN HISTORICAL REVIEW for January, 1902 (VII. 350 ff.).

author who can have recourse to it without limit should not forget that the assimilative power of his reader has not proportionately increased, and that if he does not limit himself through a severe process of selection, he runs the risk oftentimes of confusing rather than clarifying.

Another danger for the historian results from this coöperation of the illustrative art—that of being allured by it away from his legitimate highway into the flowery paths of historical romance. M. Doumergue, sincerely and earnestly desirous as he is of producing a critical work, does not always quite escape this peril. Here, for example, is his method of introducing Calvin as he arrives at the court of Ferrara in the beginning of the year 1536:

Enfin voici deux gentilshommes, qui s'avancent vers le groupe où péroré "le poète gallique" [Clément Marot]. L'un d'eux est regardé par quelques-uns avec une attention particulière, faite de respect et de curiosité. Il est vêtu tout de velours noir; sur sa tête est une toque de docteur, de même étoffe, et une collerette blanche lui serre le cou austèrement, mais non sans élégance, cependant. Il tient un de ses gants blancs à la main et laisse voir, à l'un de ses doigts, un anneau d'or. Sa figure est à la fois sévère et noble, quoique fatiguée par des veilles, dirait-on, ou des soucis. Mais ses yeux sont grands et fendus avec finesse, et tout son être respire une distinction particulière, une simplicité de bon ton, qui le met également à l'aise avec les savants et avec les dames.

C'est un gentilhomme récemment arrivé, qui se fait nommer Charles d'Espeville, c'est Calvin (p. 45).

A note indicates that this description follows the beautiful portrait from Hanau reproduced at the beginning of the volume. That would be well enough if the portrait in question were beyond all doubt that of Calvin at the time of his travels in Italy. But it is to our knowledge without signature or date, or designation as representing the features of the reformer, or of the reformer at that period, except as it is so designated by a local tradition, the criticism of which is not presented. At the beginning of his first volume M. Doumergue has reproduced the famous enamel of L. Limousin, dated 1535, which he styles, also after a tradition, "Calvin à l'âge de 25 ans". It is difficult to admit that these two portraits represent the same person. In the iconography of Calvin, which is announced for a subsequent volume, the learned professor of Montauban will manifestly be compelled to give up at least one of the two. It is evident that before writing the page just quoted he mentally sacrificed the enamel by Limousin. But it is unfortunate that after having placed this apocryphal portrait as a kind of frontispiece to his work, he should later replace it by another, which he uses as he might a document from the archives, without giving us on the spot the opportunity of weighing his reasons.

Men and affairs in Geneva occupy, as is proper, a place of first importance in this second volume. Here we find a résumé of the history of that town under episcopal rule and a living picture of the beginnings of the Reformation in Romance Switzerland in general. This narrative and description, for the first time brought together, will

be a great boon to foreign historians. But here become more and more evident the truly insurmountable difficulties against which Professor Doumergue brings up when he endeavors to carry out his gigantic plan with that wealth of information, that superabundance of details, which I have already criticized in his first volume. It is beyond the power of any one man to make a documentary study of that great mass of material which he has worked into the body of his exposition. Where the ground has already been broken by works of real value his treatment is excellent. His résumé has life and color, and is to the point. But not nearly all the ground in his vast field is in this condition; much of it is still lying fallow, to speak from a strictly scientific point of view, and right there is where he is inevitably, fatally, at a disadvantage. Indeed he would have done better in the interests of scientific truth had he not tried to cover such portions.

The history of the Geneva of the bishops has not been written, nor can it be until the collection of documents for that period has been utilized by a local historian or placed at the service of all by publication. M. Émile Rivoire, a Genevan lawyer, who is at the same time an archivist, has begun at his own expense the editing of the registers of the Council.¹ But he has thus far brought out only the registers for the years 1409-1461, and after Volume II., down to 1475, which is already in press, and the numerous volumes which should follow, in order to exhaust this source of information, it will be necessary to collect the parchments still dispersed from the *Chapitre des Chanoines*, the reports of the pastoral visits in the diocese, and the registers of the civil and religious corporations. It will also be necessary to have recourse to the records, still so little known, of the Councils of Fribourg and of Berne. All this will necessitate investigations which have not as yet been systematically made, and expenditures of money at present far beyond the slender means at the disposal of Genevan scholarship.

Thus it is that M. Doumergue's résumé is subject to revision.² It is not strictly true, as he asserts, that the syndics, elected annually by the townsmen, alone had the right to administer justice in criminal cases. The bishop retained the power of pardoning and the right to remove all cases to his own tribunal. It is not strictly accurate, either, that the bishop and the *vidonne* (*vicedominus*), as temporal lord, swore each year to the syndics to respect franchises. Such a showing of the facts may give rise to erroneous conclusions as to the respective positions of the ecclesiastical prince, his feudal deputy, acting ministerially through an official who was himself called *vidonne*, and the medieval commune (p. 98), etc.

In his exposition of the events which took place at Geneva toward the end of 1536, and especially his account of Calvin's début in his rôle

¹ *Registres du Conseil de Genève*, Tome I., Geneva, 1900.

² Reference ought to be made for those times to a deserving study of this period by an American historian, Professor H. D. Foster, in the *REVIEW* for January, 1903, "Geneva before Calvin".

of reformer, M. Doumergue has profited by the works not only of Herminjard, the old master of Lausanne, and of the professors of Strassburg, but also of F. W. Kampschulte, of Carl A. Cornelius, and of Amédée Roget, all three of whom he opposes and criticizes, sometimes justly, but sometimes, also, according to my own view, unjustly. Here his narrative assumes a totally different character, and the care and talent which he displays recommend it as the most complete and best yet written, with that single reservation which I have already made in my former review : this account is the work of a combatant, of an orator, writing in a country and at a time when the war of pen and speech is being waged more fiercely than ever, who has taken for his task the avenging of the greatest memory, the most enduring system of thought that French Protestantism can invoke.

Calvin's long stay in Germany ; his activity as pastor of the French community of Strassburg, and as representative of the imperial city in religious conferences held in the empire ; his personal relations with Bucer, Hédion, Capiton, the two Sturms, and Melancthon, all these furnish his latest biographer with some excellent pages wherein may be found assembled a great mass of information hitherto scattered through a large number of special works, and wherein many current errors are corrected. The liturgy of the Calvinistic worship, broadly outlined as it was by its founder at that time, forms the subject of a learned study, based on the notable works of Dr. Alfred Erichson. In the course of this chapter M. Doumergue deals with the question over which there has been so much controversy, of Calvin's ideas in regard to religious art. He demonstrates with abundant proof that in this respect the reformer was neither the Boetian nor the Vandal that some have wished to make him.

Finally, I refer the reader who is pressed for time and who desires to select in this enormous folio one or two chapters of value and of particular bearing to those which the author has entitled "Calvin et Melancthon", "Calvin et Luther" (pp. 545-561, 562-587). The attitude of the head of the French Reformation toward the German Reformation is characterized authoritatively and truly. Calvin did all that fell to him to do, to be the conciliator between Luther and Zwingli. If he failed, if Protestant unity has not been realized, it is because the successors of the monk of Wittenberg have been more Lutheran than Luther.

Calvin a conciliator ! Is that to say that Calvin was a man of gentle, tender, conciliating character, or that he always acted as such ? That is a thesis dear to his biographer, against which I offered some reservations when I reviewed, in these pages, his first volume (*AM. HIST. REV.*, VII., 350-353). M. Doumergue has taken up my criticisms in a series of public lectures at Geneva and then at Lausanne, in which his ringing words and his incomparable talent as an orator have received universal applause. As these lectures have been collected and published, I refer the readers of my review to them.

I said that "the historians who have studied him most closely" during the period when he was molding Geneva "have not brought back from their study a sympathetic feeling, as far as his person is concerned. They could no longer feel his heart beat." M. Doumergue, quoting this phrase, with some words of friendly deference for his critic, begs his audience to permit him to perform before them a new auscultation of the action of his hero's heart. In the process of this operation the lecturer cites a certain number of instances in which Calvin himself laughed joyously or approved the gayety of others; then, after calling attention to what he terms "son excessive nervosité", he cites a less number of instances in which the reformer wept or lamented; finally he insists upon the strong friendship and the deep devotion which he was able to inspire.

I do not cast doubt on any of these assertions, nor do I dispute any of these illustrations, based as they are on the best sources. It is sufficient for me to observe that most of them date from Calvin's youth, and that not one belongs to the exact time of which I have spoken. When my eloquent colleague of Montauban shows me, in one of his succeeding volumes, Calvin yielding to emotion while conducting in Geneva a criminal prosecution against one of his opponents, I will admit that History—I do not speak here of Legend—has misjudged him; and of all of Calvin's spiritual sons I shall not be the last to rejoice.

But, not to part with M. Doumergue at this point of difference, I beg leave to quote from one of his lectures which I have just mentioned a passage which seems to me to be characteristic of his talent, and which will, I trust, inspire in many a desire to read him. After showing that Calvinism is inseparable from individualism, which is its greatest creation in the social order, he ends his lecture by bringing before the eyes of his audience, as with a stereopticon, the colored picture which follows:

Au milieu se dresse Calvin, sa Bible à la main. À gauche, sont les différents groupes, formés par les tenants de la vieille doctrine païenne, de la cité antique, de l'Eglise théocratique, d'après laquelle l'individu n'a de droits que ceux que la société, État ou Eglise, lui confère, toujours maîtresse de les reprendre. Dioclétien et Galère tendent la main à Philippe II, au duc d'Albe, à Charles IX. Dracon et Torquemada s'entendent avec Marat, et les membres de tous les Comités de Salut public. Jean-Jacques, un peu à l'écart, écoute et rédige les pages de son Contrat social. Groupes sombres, où Rembrandt lui-même n'aurait pas trop de toute sa virtuosité dans le clair obscur, dans le contraste des ombres et de la lumière, pour indiquer l'horreur noire, rendue visible par le rouge fulgurant d'une flamme d'autodafé, par le reflet sinistre d'une mare de sang rouge, aux pieds d'une guillotine.

À droite, sont les différents groupes formés par les tenants de l'idée moderne, l'idée de l'Évangile et de la Réformation, d'après laquelle l'individu apporte ses droits innés, divins, sacrés, à la Société chargée de les protéger et de les combiner. Les disciples, amis intimes de Calvin, rédigent ensemble, aux pieds du maître, leurs pamphlets célèbres, véritables catéchismes des droits de la démocratie, et Knox, et Goodman, et Hotman, et Duplessis-Mornay, et Théodore de Bèze. Plus loin, ce sont les combats terribles des Puritains écossais, anglais, pour le maintien de

ces droits. Ici ce sont les *Pilgrim fathers*, qui vont emporter ces droits précieux, imprescriptibles, sur les côtes d'Amérique. Là c'est Roger Williams, qui faisant pendant à Rousseau, écrit enfin ces droits dans le pacte fondamental de la cité nouvelle, baptisée du beau nom: Providence. Tandis qu'au bas du tableau, juste au-dessous de Calvin, sur le bureau de l'assemblée nationale, que le Réformateur semble à ce moment présider, Lafayette dépose solennellement le projet de Déclaration des droits de l'homme de 1789, projet qu'il vient de rapporter d'Amérique, lui, le Français Lafayette, ramenant en France l'idée du Français, chassé de France deux siècles avant, Calvin.

Et toutes ces scènes, et toutes ces visions, à gauche d'un passé qui s'en va (et je ne nie pas tout rayon lumineux), à droite d'un avenir qui s'approche (et je ne conteste pas toute ombre néfaste), me rempliraient cependant d'une joie et d'une espérance sans mélange, si, à l'abri même du bureau de l'assemblée nationale, je ne voyais un mauvais Génie, tenant en main les chartes de Droit américaines, puritaines, genevoises, évangéliques, et biffant l'un après l'autre tous les termes religieux, et effaçant l'une après l'autre toutes les traces d'origine biblique, de telle sorte que la célèbre Déclaration des Droits de l'homme, originairement conçue par des croyants, devient peu à peu la Déclaration des droits de l'homme mise en pratique par des non-croyants. Les mots restent; l'esprit change.

Calvin regarde le mauvais Génie avec des yeux terribles d'indignation. Le mauvais Génie regarde Calvin avec le sourire d'une ironie diabolique.

Et tandis que le tableau s'évanouit, je comprends certains reproches adressés à l'individualisme révolutionnaire. Mais Calvin en est innocent.¹

CHARLES BORGEAUD.

A History of Japan during the Century of Early Foreign Intercourse (1542-1651). By JAMES MURDOCH, M.A., in collaboration with ISOH YAMAGATA. (Tokio, Japan; Kobe, Japan: Chronicle Office. 1903. Pp. viii, 743.)

THIS book has been written on Japanese soil by one who, using a half-dozen languages, after reading long in the great libraries of Europe, and after years of research and critical comparison of native and foreign authorities, has completed a great work, which will doubtless help handsomely in stimulating the Japanese to produce something like real history. The bulk of what is called history by the Japanese, who indeed make this department the first in their literature, is for the most part dry annals or imaginative or partizan presentations of certain phases of the national story. What Europeans are most eager to know is very apt to be left out, as being of little importance, while for anything like history before the fifth century we have our choice between a vacuum and a rather luxuriant mythology that yet awaits a critical explorer. Mr. James Murdoch, a teacher during many years in southern Japan, begins his portly volume with an introductory chapter which contains, with an outline of chronology from the seventh century, a very luminous account with a running commentary. We are then brought to that moment

¹ *L'Art et le Sentiment dans l'Œuvre de Calvin*, Société genevoise d'édition, Geneva, 1902.

when the empire of Japan was mostly "a weltering chaos of warring feudal atoms" and when Europeans first visited the crescent line of islands. The first visitor, however, was not the traditional Mendez Pinto of the copyists, though he was very early on Japanese soil. To the initial coming of the Portuguese, various dates from 1534 to 1545 have been assigned, that of 1542 being generally accepted as the correct one by the missionaries subsequently in Japan. It was in the same year that Iyeyasu, who was to give the whole of the country a government under which it should be at peace for two centuries and a half, first saw the light.

The Japanese have lived under three systems of feudalism. The first, the rude one, before a fixed capital was chosen, under which one-ninth of the soil was held for the mikado and eight-ninths for the chiefs and the people. The second, or Kamakura period, began to develop in 1192 under duarchy, when the regents made office hereditary in their own nominees. The third began its course when Yedo was made the seat of government, and duarchy and feudalism received their consummate elaboration. It was at the breaking up or toward the end of each of these three systems, in the sixth, twelfth, and sixteenth centuries, that the three great waves of civilization from the west rolled in upon Japan—the first from China through Korea, the second from Europe through Portugal and Spain, and the third, after Perry's time, from Christendom chiefly through the English-speaking peoples. The second series of western influences, beginning in 1542 and lasting roughly for a century, gave Japan a mighty development, which has never wholly ceased. These influences, together with those steadily poured in upon the Japanese intellect from the Dutch, increasing in volume and potency until the revolution of 1868, show that the Japanese were never in any strict sense a "hermit nation", but were receiving forces that have enabled them to be what they are in this year of their grapple with Russia.

Mr. Murdoch's pages show that the Japanese were then the same eager people with a passion for borrowing and imitation, but, as they are now, with power to adapt to their own uses what they adopted. In most of the books heretofore written on this "Christian century", we have what is in the main an ecclesiastical story with much about martyrs and confessors. In Mr. Murdoch's hands it is vastly more. Though he seems to trouble himself very little about "the economic interpretation of history", we find that the coming of the Portuguese wrought in Japanese statecraft and economical development mighty changes, which persist to the present time. Among these we notice the origin of the native gold and silver coinage, made to supply the needs of foreign trade. It was these outsiders who developed Japanese mining and ship-building. The Japanese were as eager then as now for instruction and for foreign trade. They adopted quickly every new invention and science, and were not at all inclined to be hermits. Indeed they patronized the foreign priests in order to bring in trade. The rulers wanted firearms, gunpowder, ships, and curious machines of all sorts even more than a new way of salvation.

This was the era of able men who came to the front, broke up the old traditions of appointment to office on account of birth or favor, and made merit display itself and receive its reward. In this century we have the three great unifiers of the nation, Nobunaga (1533-1582), who gave Buddhism almost its death-blow as a political force; Hideyoshi, or the Taiko (1536-1598), who humbled all the daimios to the exaltation of the mikado and then gave employment to an army, almost national in its spirit, by invading Korea; Iyeyasu (1542-1616), who carried out the Taiko's great plans, made a government that men of mediocrity could carry on, and gave Japan that long peace in which she has nourished her strength for twentieth-century enterprise.

Mr. Murdoch's proportion of text is about equal in space for each of these three heroes. He brings under review both the Dutch and English as well as the Portuguese and Spaniards, and shows vividly the clash and interplay of forces with abundant reference to original authorities, while every page reveals his power of analysis and his acquaintance with the elements of the theme. There are numerous maps, prepared by his Japanese assistant, and some of these, illustrating the feudal divisions of the empire, are exceedingly valuable and interesting. The author punctures many a bubble of tradition, showing that instead of the "two million" Christian converts there were never more than 300,000. Their quality for the most part may be easily imagined, when it is seen so clearly on these pages that the methods of conversion usually employed were those of political force, so congenial to men hailing from countries in which the Inquisition and the auto de fe were institutions. That Christianity in Japan was political, and that the Japanese, loving foreign trade as they did, refused to pay the price of the probable loss of political independence for it, is shown in the fact, vouched for by the Spanish missionaries themselves, that numerous Christians in the civil war at Osaka in 1615 had joined the rebel army. On their banners, besides the cross and the image of the Savior and patron saint of Spain, was the legend "the great protector of Spain". The king of Spain, who had had the Japanese coast surveyed, demanded half the output of the mines. No wonder then that Iyeyasu bolted the doors of the empire. As to the literary form of Mr. Murdoch's history, there is much to be desired. The use of slang and not a little undignified phraseology mars the sterling value of the matter. Although covering little more than a century of time in its scope, this volume will be exceedingly useful in correcting the multitudinous errors found in those books on Japanese history which, unlike Mr. Murdoch's, have been compiled from late deposits rather than from early sources.

W. E. GRIFFIS.

Champlain, the Founder of New France. By EDWIN ASA DIX, M.A., LL.B. [Historic Lives.] (New York: D. Appleton and Company. 1903. Pp. 246.)

SAMUEL DE CHAMPLAIN, founder and governor of New France, was one of the most interesting characters of his generation. Probably no

other person in the long and picturesque history of the French regime in North America is silhouetted so strongly against the background of popular tradition, unless it be Father Marquette and possibly Count Frontenac. Living in the golden days of chivalric adventure, when Europeans were discovering and planting new worlds beyond the great waters, and science had not yet unveiled the thousand mysteries of the wilderness, none surpassed the deeds of this simple-hearted, pious, daring, and imaginative Biscayan.

At first a lieutenant in the army of Navarre, fighting gallantly in Brittany, the peace which made a king of Henry IV. turned Champlain free to achieve adventure elsewhere. In Spain he was commissioned to sail his uncle's ship to the Caribbean Sea and transport Peruvian treasure across the Isthmus of Panama—a two and a half years' service (1599–1602) filled with glowing adventure. Returning to his sovereign's court, where he was granted the pension of a favorite, he was in 1603 sent out to the St. Lawrence to report on the Sieur de Chastes's trading and colonizing venture there. In this voyage he ascended with Pontgravé to Lachine Rapids and noted how admirably situated was this mighty river for the portal to an empire. In 1604 he was back again in Canada, this time with both De Monts and Pontgravé. The tercentenary of their discovery of the spacious harbor of Port Royal, now Annapolis Basin, will be appropriately celebrated by the Nova Scotia Historical Society during the last week of June, 1904. The winter of 1604–1605 was spent by the crews on an island in Passamaquoddy Bay, and the two following at Port Royal. During four successive seasons Champlain scientifically surveyed and mapped the shore between Cape Breton and Cape Cod, becoming acquainted with the harbors of Boston and Plymouth fifteen years before the landing of the Pilgrims and nine years before the arrival of Captain John Smith. Champlain's advice that the colony be placed on the St. Lawrence, nearer to their savage customers and farther from possible attack by rivals, prevailed with De Monts and the king, and in 1608 he was sent out as governor of New France. In July, planting his little settlement with its back to the wall of Quebec, Champlain defied savage enemies, the forbidding climate, the meager soil, and all the numerous train of obstacles that at first beset European colonization in the North American wilderness, and here laid deep the foundations of New France. By the time of his death (December 25, 1635), he had spread the sphere of French influence as far as the interlocking streams which in Wisconsin form the principal canoe route to the Mississippi, had personally conducted explorations to the shores of Lake Huron and the banks of the Mohawk and the Hudson, and through the active vehicle of intertribal barter Paris-made utensils and weapons had reached the most distant tribes of the continental interior.

Lacking vanity, Governor Champlain comported himself with a dignity which won universal respect, from the gorgeously-bedecked king at Versailles to the naked Montagnais savage in his filthy wigwam on the Ottawa. Self-centered, with calm poise, admirable self-control, rare

patience, steadfastness of purpose, sanity of judgment, tactfulness, a piety that was remarkable even in his day, and courage undaunted, we also find in him one of the most lovable and sympathetic of companions. The romance of his situation appealed strongly to his nature, and he was passionately fond of wilderness exploration. His services to mankind were still further enhanced by his love of authorship, which led him to publish the carefully-prepared journals of his richly-varied experiences, and embellish them with maps and sketches, works which to-day are among the most fertile sources for the history of New France and New England.

Amid the richness of his materials, Mr. Dix obviously has suffered from the embarrassment incident to the condensation of his story into the narrow limits imposed upon the writers in this useful series. Nevertheless he has given us a well-executed, highly readable sketch, properly sympathetic, and displaying excellent powers of analysis, with well-trained sense of historical perspective. He would be a sorry biographer who could write a dull book concerning such a hero, and Mr. Dix has certainly succeeded in making an unusually interesting volume. If, after such acknowledgment, one be allowed a parting sentence of criticism, it would be to the effect that the biography might have been still more acceptable had the author given us a clearer picture of the men and life of New France during Champlain's romantic career; the governor's personality stands forth with some distinctness, but we find the background somewhat hazy.

R. G. THWAITES.

The Philippine Islands, 1493-1898. Edited by EMMA HELEN BLAIR and JAMES A. ROBERTSON. Vol. X., 1597-1599; Vol. XI., 1599-1602; Vol. XII., 1601-1604; Vol. XIII., 1604-1605. (Cleveland: The Arthur H. Clark Company. 1904. Pp. 318, 319, 324, 318.)

WITHIN the limits of a brief review, one cannot hope to touch critically upon the nature and contents of the sixty-odd documents upon early Philippine history which these four large octavo volumes present us, or even to catalogue the documents, which are in various instances the composites of a number of letters or reports upon certain subjects. This is especially evident when it is noted that nearly 350 of their 1,279 pages are occupied by the first English version that has ever appeared of the *Relation of the Philippine Islands* published at Rome in 1604 by the Jesuit father Pedro Chirino, which relation is one of the four or five printed sources of prime importance for the study of early Spanish history in the Philippines and of the primitive state of the Filipinos.

Copies of the original edition of Chirino's work are, of course, very rare, although the editors have had access to two which are owned in the United States. A second edition of the work was printed in Manila in 1890, in Spanish, and this is quite readily obtainable. Its republication,

and in an English version, at this time is particularly interesting in connection with the appearance of a new Spanish edition of the work of another Philippine Jesuit, Francisco Colin, to which American collectors of Philippina are having their attention invited, as Colin's work of 1693 was based mainly upon Chirino. The editor of this new Colin, Pablo Pastells, also a Jesuit, and formerly superior of his order in the Philippines, more recently a collaborator with Retana, has assisted the editors of this work by contributing some notes in connection with the translation of Chirino. These are mostly of a biographical nature, with reference to the early Jesuit missionaries mentioned by Chirino, and may be assumed to be exact, but those of another sort are not free from error: some of the errors, with regard to geographical names, etc., may be the proof-reader's, but it is the father himself whose attitude on Philippine politics will not let him mention José Rizal as the editor of the 1890 edition of Antonio de Morga's history. He gives the impression that there are seven Roman Catholic bishoprics in the Philippines, but it is now generally supposed that the three new bishoprics which Pope Leo projected in 1902 will not, after all, be created. He follows his Jesuit brothers in affirming that the Bagobos, a hill tribe of southern Mindanao, make human sacrifices, something that is not yet established; moreover, it should be stated that the Bagobos are not Malays.

This digression is made with reference to the notes on Chirino, because there is not yet enough care and evidence of a mastery of Philippine history displayed in the annotations of this work as a whole, while at the same time the editors are evidently making efforts toward improvement in this respect. Rare opportunities for elucidation of the material they have in hand are still frequently overlooked, however, and such notes as we have are more commonly biographical or explanatory of translations. On the whole, even though the editors are not yet prepared to bring to the assistance of their readers in this respect the benefit of a wide reading and thorough survey of Philippine data, they will probably do better to keep this matter in their own hands; some of the assistants whom they have had thus far are disqualified by scant reading and bias. The editors themselves need to comprehend that merely a citation from Concepción, Montero y Vidal, or others may mislead unequipped readers; one needs constantly to check a statement made by one writer on the Philippines by that of a dozen others, more or less. When sifted down, the rather numerous notes upon the Chirino relation are really of quite scant service to the critical reader, especially as there are no bibliographical helps in connection with the few passages on Filipino customs, the really important parts of Chirino's book. One notes also some confusion on the geography of Mindanao; a reference to Father Pastells's preceding note would have shown that the Punta de Flechas (he calls it Puntas Flechas) was not Cape San Agustín; so, in Volume X., the annotator's confusion of Lake Liguasan with Lake Lanao brings the Spaniards into the region of the latter fifty years too soon.

The unwary reader may easily be led astray by Chirino's careless assumptions and positive expressions on various matters very much in doubt. Where he is plainly an eye-witness, however, with experience sufficient to qualify him as an authority, his observations are most interesting; it is thus that his statements about polygamy, temperance, idolatry, etc., among the Filipinos should be weighed. His evident friendliness toward the natives helps to place a higher value upon his statements. His rambling repetitions of tales of the conversions and of miracles in connection therewith are such as abound on many hundreds of pages of Philippine "history"; but his account and the letter of Father Vaez, another Jesuit, reproduced in Volume XI., are more interesting because about the earliest of this sort of documents.

In some way or other, the friar question of course enters into nearly all the documents presented in these four volumes. The Augustinian province of the Philippines is, according to the testimony of some of its own members, sadly demoralized; these members charge it upon the recruits from Mexico. Archbishop Santibáñez, in 1598, says Governor-general Tello is without a semblance of a virtue; his successor, Benavides, is quite as critical of the civil authorities, and betrays a marvelous interest in matters of trade, also great animus against the Chinese. We find there are about 300 friars in 1600, mostly recent recruits. When the king sends out a new governor-general in 1602, it is revealed that Tello, who was recalled, had been sent to the Philippines owing the Seville House of Trade some \$40,000; if he had made it in the colonial post, he had at least not paid it. Governors, judges, and other officials, also ecclesiastics, are keenly concerned over the restrictive trade policy, all wanting the other fellow's ox gored; our national legislators will find much food for thought in Volumes XI., XII., and XIII., especially when read in the light of our own colonial history. Chinese immigration, or Chinese expulsion, were also current Philippine questions three hundred years ago; it was in 1603 that upward of 15,000 Chinese were slaughtered in and near Manila, the Spaniards probably not being quite so blameless as the documents these volumes present us might indicate. Three years before, the colony had been threatened by Dutch privateers, and the work of conquest in Mindanao was, as so often afterward, abandoned for the time being, to the detriment of Spanish prestige with the Moros.

One might criticize some of the documents selected for presentation as not sufficiently consequential, and on the ground that the readers of this series would better be served by presentation of some of the earlier printed sources, now rare and difficult to obtain, or by the saving of space for more significant documents covering the later and more important periods of Philippine history. It is interesting to note, however, as indicating in one way the improvement upon earlier volumes of the series, that practically all the documents of these four volumes have been obtained from the original manuscripts in the archives at Seville. On the whole, the translations improve, though here and there one feels an itch-

ing for the original text. The "prefaces" cannot, in accordance with the plans of the editors to make them mere abstracts, be other than colorless; one finds them superfluous, since they do not contribute anything to the documents themselves. After all, these criticisms are rather ungracious, in view of the improvement that has been made and is being made as the work advances and the editors gain a wider grasp of their material.

JAMES A. LE ROY.

Ledger and Sword; or, the Honourable Company of Merchants of England trading to the East Indies (1599-1874). By BECKLES WILLSON. (London, New York, and Bombay: Longmans, Green, and Company. 1903. Two vols., pp. xii, 452; iv, 438.)

THE preliminary work on the history of the East India Company has been done. The necessary materials—the court books, factory diaries, consultations, and correspondence—were all preserved with conscientious care by the company. In recent years nearly all of this material, along with much from state papers and other sources, has been made accessible to historical students by the excellent work of Henry Stevens, Birdwood, Sainsbury, and others. The stones have been quarried, but they still await the master builder to construct the edifice worthy of such material. Sir William Wilson Hunter's *History of British India* is a worthy attempt, but, in addition to the fact that it is incomplete, it is not essentially a history of the company, while the works of Gleig, of Mill, and of Thornton are not modern.

In the present work Mr. Willson does not aspire to become the great historian of the company. He sets himself the task of telling "the full story, from birth to burial, . . . in a popular form", and this he accomplishes with much skill. It would be unfair, however, to dwell too much on the popular character of the volumes. Mr. Willson's work shows much study and intimate knowledge of the sources. It has besides the decided merit of adhering consistently to the story of the company, instead of wandering off into the alluring byways of the history of India. Nor is the history of the company subordinated to that of its servants, as is so generally the case. The life and policy of the company's home office in Leadenhall Street as contrasted with the empire-building in India, the *Ledger* as contrasted with the *Sword*, are the phases emphasized.

The history of the East India Company covers the period from 1599 to 1874. In taking the earlier date, 1599, rather than the commonly accepted date, 1600, Mr. Willson lays stress upon the genesis of the society before the formal merging of the Association of London Merchants into a chartered company known as the "Governor and Merchants trading to the East Indies", but as the charter was not granted till December 31, 1600, and the first voyage set out in that year, it is altogether probable that the date 1600, so long associated with the company's

origin, will stand. In his main divisions of the company's history the author follows the usual lines, although the different periods are not so strongly emphasized as one might wish. The great change in the character of the company's activities after Clive's victories, says Mr. Willson, quoting from Wheeler's *Early Records*, "marked the close of the mercantile period, when the English in Bengal were traders and nothing but traders" (I. 138); a statement which requires modification to bring it into harmony with his protest against the view of many historians who attribute to the early period a commercial activity only. For, he says, citing Macaulay, "commerce was its object; but in order to enable it to pursue that object, it had been, like the other Indian companies which were its rivals, . . . invested from a very early period with political functions" (II. 411). Nevertheless from the middle of the eighteenth century onward the political activities of the company, its exercise of territorial sovereignty, making of treaties, coining of money, etc. (II. 126 ff.) rapidly overshadowed its commercial activities. How clearly this was foreseen by Clive the author shows by citations from an interesting letter to Pitt in January, 1759, in which it is suggested that the exercise of "so large a sovereignty may possibly be an object too extensive for a mercantile company"; and that the great design would be well "worthy of the government's taking into hand". As is well known, the government did not take the matter in hand, and the company remained as sovereign in India till the India Act of 1858. Sixteen years later, in 1874, the East India Company was dissolved.

Mr. Willson has a keen sense for the life and thought of England underlying the development of the company. The vigorous activity of the age of Elizabeth is conspicuously present in the early pages. The frequent citations from contemporary literature are often very apt and illuminating. On the other hand, there is a woeful lack of historic setting from the standpoint of general European conditions. There is no adequate explanation for the beginning of the Dutch and English ventures in "the long acknowledged hunting grounds of the Portuguese" (I. 39); no mention of the Spanish control in Portugal beginning in 1580 and lasting till 1640; no hint that as a consequence of this control of Portugal the trade between Lisbon and the north of Europe had come to a sudden stop — the English and particularly the Dutch were forced to follow trade to its source; nor does Mr. Willson rise to his occasion when he treats of the place of the company in the development of English history. Its long life and consistent policy stand in strong contrast to the kaleidoscopic changes in the political history of England. Parliaments and monarchs passed away, but the company remained. Among its servants more than on a throne are to be found the typical Englishmen. In the light of this remarkable independence of the company and the contrast in this respect with the position of the Dutch East India Company, one is rather disappointed not to find some comparative statement of the points of difference in the internal organization of these two great rivals, and of their respective relations to their governments.

There is an occasional lapse of dignity in the style and presentation, as, for example, in the choice of chapter-titles. Even in a popular work such headings as "The Portuguese Laughed Too Soon", "Sir Josiah Overrides Tribulation", must appear somewhat striking. Others again, as for example, "The Governor-General Fights, the Company Pays", "The Doom of the Ledger", are very suggestive. The chapter on the "Muse in Leadenhall Street" has a peculiar charm. It affords us a new point of view of the familiar figures of Lamb, Sir Josiah Child, and John Stuart Mill, in the large rooms and atmosphere of the India House. The portraits and illustrations are well chosen, though in a number of cases no clue is given as to the source from which they are drawn. There is no index.

W. E. LINGELBACH.

The English Church from the Accession of Charles I. to the Death of Anne (1625-1714). By the REV. WILLIAM HOLDEN HUTTON, B.D. [A History of the English Church, edited by the late Very Rev. W. R. W. Stephens, D.D., and the Rev. William Hunt, M.A. In 8 vols., Volume VI.] (London : Macmillan and Company, Limited ; New York : The Macmillan Company. 1903. Pp. ix, 368.)

HAVING given this book a careful reading, it seems to me that Mr. Hutton has not done himself justice, and that the book is less helpful and interesting than he might have made it, if he had not been hampered by the necessity of writing according to the plan made for him by the editors of the series in which it appears. Take the matter of references. The general reader considers them as only disfigurements of the page, while they are very dear to the scholarly reader and essential to the student. The plan adopted by the editors is to give no foot-notes, and to put no numbers or other signs in the text referring to references or notes at the end of chapters or of the book, but to append to each chapter a paragraph headed "authorities" in which mention is made of the sources used in its preparation. It is presumably somewhere in the mentioned "authorities" that the quotations made in the chapter occur. But as it manifestly would require an acquaintance with the authorities equal to the author's to enable one to locate these quotations, the editors' plan seems to me poor. It would have been better to give at the beginning of the book an annotated list of books and other sources used.

The limited space at Mr. Hutton's disposal has also, apparently, hampered him. He has met the demand for conciseness by limiting himself rigidly to the direct concerns of the Church of England during the period. But thereby he has decreased interest in his narrative very much and also rendered it unintelligible to those readers whose only knowledge of the period is derived from this book. Again, the editors insisted on objectivity. They bore in mind that the period assigned to Mr. Hutton was the seed-time and harvest of Nonconformity, still, alas,

extant and very sensitive; and as it was important to spare its feelings, they reminded Mr. Hutton that if in the period the Church of England came in for mighty rough handling, she did some equally rough handling herself. Her ability to pay in the coin in which she had been paid was unquestionable, and in the game with dissent she could always go one better. So they told Mr. Hutton to restrain his High-church proclivities and let the facts speak for themselves, whereas he would have liked to do the talking through a megaphone.

Restriction in the amount of quotation has, however, hampered him most of all. He has been unable to use much of the accumulations he had made and has had to give sentences when he wanted to give paragraphs. The pity of this restricted use of quotations is all the greater when we perceive how far afield he went to gather them. Already master of the general and familiar literature of the period, he has sought the recondite, and so we have in this book a surprising number of quotations from and allusions to fugitive pieces, the true Parthian arrows of the period, shafts sent oftentimes with great effect by those in pretended flight. He makes liberal use of those clandestinely written and still more secretly printed handbills, pasquinades, lampoons, squibs, and other non-literary but tremendously virile productions, which had a mushroom-like growth and a Jonah-gourd-like ephemerality, but goaded the Gulliver of the Church of England to madness. Mr. Hutton has also read many of the sermons of the period, especially the funeral sermons, which got into print in the same way as they do to-day. Admiring friends of the preacher request "a copy for publication", and when it is in print they glance at it, wonder why they had asked for it, and sell it unread to some passing junk-dealer. But the historian finds all these printing-press products just spoken of raw material, out of which to weave his fabric. Owing to his restriction, those used by Mr. Hutton in this volume, though numerous, are so miscellaneous and of such bewildering brevity that the reader is not so much helped as he might have been by fewer but longer pieces.

The result of this hampering, this attempt to write a volume to fit some one else's ideas as to what it should be in length and contents, is very much to weaken it. It is tame when it should have been stirring. The period, though in some aspects repulsive, for neither Assent nor Dissent can contemplate it with satisfaction, was one which tried men's souls. But Mr. Hutton has failed to interest us in his theme. We shed no tears when England's martyred king lays his head on the block at Whitehall; we raise no huzza when William III. establishes Protestant supremacy. The facts are all there, diligently collected and admirably marshaled. We feel the grip of the master. But we do not feel the pulse throbbing at the wrist; the hand itself is cold. When, however, Mr. Hutton has finished his narrative proper, he gives us three chapters, entitled respectively, "The Church in Relation to Political Theory and to Literature", "The Religious Societies and Missionary Work", and "Church Life, 1660-1714". These chapters are so admirable, so deeply interesting,

written so *con amore*, that they exhibit Mr. Hutton's mastery of material in a way altogether delightful and make us think that the whole volume might have been equally good if he had not been hampered.

Opposite the title-page is an outline map: "England in Dioceses during the 17th. Century". The lettering must have been done by a map-maker, not by a printer, otherwise there would not have been a period after "17th" as if it were a contraction! There are two appendices, one a helpful chronological list of "some principal events", the other a table of rulers and of archbishops in England during the period. There is also an index, but it is inadequate.

SAMUEL MACAULEY JACKSON.

William Penn as the Founder of Two Commonwealths. By AUGUSTUS C. BUELL. (New York: D. Appleton and Company. 1904. Pp. vii, 368.)

THERE are many biographies of William Penn, and every new one should show some cause for existence. Fresh documents are being discovered and much old material in the library of the Historical Society of Pennsylvania and elsewhere has not been fully worked over. The excuse for this volume does not seem, however, to lie in a careful examination of this hitherto undeveloped matter, but in a new view which the author chooses to take, based on the data accessible to all past historians. There are many traces of careful examination of certain old authorities, but through it all there are very manifest the opinions of the writer, expressed with much vigor and reiterated with a persistence which makes an indelible impression. The book is interesting and forcible throughout, and the reader arises from its perusal with certain well-defined views of its teachings. The style is vigorous, but often drops into the colloquialism of the daily press, as: the Puritan "made the climate torrid for his adversaries"; "the nation, having all the cunning and none of the right, cheats the eye-teeth out of the nation"; "There was throughout Quakerdom what the average Cockney would call a 'blue funk'"; and so on in great abundance.

The position which the book takes with regard to William Penn is that he was a great statesman and a good man, whenever he was able to get away from the malign influence of George Fox and the Quakers. His constitution for West Jersey is said to be "the greatest code in popular government that has fallen from the pen of mortal man" (p. 97), and eulogies on his character and goodness are plentiful enough to satisfy his greatest admirers. This greatness and goodness are, however, entirely apart from his religion. That was a mass of "visions or whims or chimeras". He was originally "hypnotized" by Thomas Loe, and all his life through was "held in mental subjection by the vagaries of George Fox". Whether the two views are compatible may be left to the decision of the readers. The author says, "it is impossible to comprehend it", and leaves us without any explanation or attempt to

harmonize. The view advanced by the historians Prescott and Bancroft, as well as by most of Penn's biographers, has been that, so far from there being an irreconcilable difference between his religious views and his political actions, they were strictly related as cause and effect — that civil and religious liberty came inevitably into the Quaker mind as a logical result of the attitude of George Fox and his co-laborers toward religious and moral subjects.

A few errors of fact may be found in the book. The famous Indian "walk" occurred in 1737, not in 1733, as stated in two places. Penn did not say of himself, as our author states (p. 134), but it was said of him by James Claypoole, that "he aimed only at equal justice". The fact that the twelve miles from New Castle was measured along the river, rather than due north, had nothing to do with bringing the boundary between Penn and Baltimore south of the fortieth parallel (p. 165). Penn did not ask, when offering to sell his colony to the crown and proposing conditions to protect the Quakers, anything which was "at variance" with "universal equality" (p. 314). Joshua Carpenter was not a Quaker (p. 349). The president of the council was not independent of proprietary appointment or control (p. 352).

But the most serious difficulty of Mr. Buell is his inability to understand Quakerism, and his willingness to adapt facts to the task of securing basis for his abounding satire and invective. There are many pages from which some illustration of this tendency could be drawn. One or two will suffice: The contemptible ruse of Governor Evans in May, 1706, to bring up a false report of the near approach of the French ships to Philadelphia and surprise the Quakers into rash acts, failed utterly, because the more responsible of them went to their midweek meeting as usual, in much quietness and dignity. Some women were frightened and ran away, and some men hid their plate. Our author says, "The meeting-houses were emptied . . . The Quaker part of Philadelphia — more than half — became absolutely depopulated." To Isaac Norris's statement that "Not a Friend of any note behaved but as becomes our profession," he adds, "meaning, of course, that not a Quaker of any note failed to run." The non-combatant views of the Quakers are always attributed to "pusillanimity", and even modern arbitration and The Hague Tribunal are scouted, as being in some way descended from them. When the author stated that "the sect has never produced a man who made any permanent impress upon human affairs or accomplished anything worth enduring record except William Penn", he might also have excepted at least John Bright and John G. Whittier. The simple Quaker marriage ceremony, than which nothing in Christendom has been kept more inviolably, is referred to in this rather coarse way:

One of Penn's Quaker biographers (Lewis) in describing this marriage [Penn's second marriage], uses the phrase "led her to the altar." Lewis ought to have been expelled for that phrase. In Quaker estimation it was the rankest kind of paganism. He should have said, in Orthodox Quaker form, "took her by the hand in presence of witnesses, signed the book, and then led her to the nuptial chamber."

Upon George Fox is the author's heaviest displeasure and misrepresentation heaped. "Perfection . . . being reached only by him who prayed all the time and worked not at all" is his travesty on Fox's doctrine of divine communion. "Fox's special decalogue", a phrase Mr. Buell borrows from Montanus in his life of William III., and uses many times, caused the Quaker "to flout the old decalogue, if for no worse or better reason than that God had revealed it to Moses instead of to George Fox". "Rant", "boorishness", "affectation", "fanaticism", "bigotry", are terms freely thrown about where Fox is considered, and nothing is seen in his peculiar teachings which tells of equality, spirituality, or truthfulness.

Our author would doubtless find it difficult to appreciate the judgment of a scholar like Professor William James (*The Varieties of Religious Experience*, 7):

The Quaker religion which he [George Fox] founded is something which it is impossible to overpraise. In a day of shams, it was a religion of veracity rooted in spiritual inwardness, and a return to something more like the original gospel truth than men had ever known in England. So far as our Christian sects to-day are evolving into liberality, they are simply reverting in essence to the position which Fox and the early Quakers so long ago assumed. No one can pretend for a moment that in point of spiritual sagacity and capacity, Fox's mind was unsound.

ISAAC SHARPLESS.

South Carolina as a Royal Province, 1719-1776. By W. ROY SMITH, Ph.D., Associate in History at Bryn Mawr College. (New York: The Macmillan Company. 1903. Pp. xix, 441.)

THERE has been in recent years a marked awakening of interest in the scientific study of colonial history, and South Carolina has had its fair share of attention. The annals of the colony under the proprietary and royal governments have been, in the main, admirably told by the late General McCrady. Mr. W. A. Schaper's prize essay on *Sectionalism and Representation in South Carolina* is a suggestive treatment of the economic and social forces underlying the political life of the colony and state. There had also been published somewhat earlier Dr. Edson L. Whitney's systematic account of the *Government of the Colony of South Carolina*. In spite of these earlier studies, there was room for a thoroughgoing and independent examination, based upon materials still largely unused, of the actual working of the provincial administration. This work has been done by Dr. Smith in his *South Carolina as a Royal Province*.

In order to judge the book fairly, it is important to understand at the outset the limitations which the author has evidently set himself. He has not attempted to rewrite the annals of the province, nor, except incidentally, to review its economic and social development. There is even comparatively brief treatment of political movements except so far as they found expression in the acts of official personages or assemblies. The

task which he has undertaken is to describe the mechanism of the provincial government, the manner in which some of its more important functions were performed, and finally the friction between local and imperial policies which developed under the provincial system and became one of the chief causes of the American Revolution.

In the opinion of the present reviewer, Dr. Smith is to be congratulated on having done an unusually clean and thorough piece of work. His predecessors in this field had depended mainly on material already in print. The present work is based largely upon manuscript public records in the archives of the state. This mass of material has been used with good judgment and with a self-restraint and capacity for compression which are not usual in treatises of this kind. On many points, of course, the author's new material does not essentially alter the conclusions of previous writers. In some instances, however, there is a distinctly fresh treatment of important issues. This appears, for example, on a comparison of Dr. Smith's treatment of the land and currency controversies during the administrations of Middleton and Johnson with the corresponding portions of McCrady's *South Carolina under the Royal Government*.

After a brief but effective summing up of the main constitutional tendencies of the proprietary period, there are three chapters on the land system of the province, dealing primarily with problems of administration rather than with the strictly economic aspects of the subject. The next three chapters describe the structure of the provincial government, the executive, legislative, and judicial departments. The working relations between the province and the British home administration are partially considered in a chapter on the "Colonial Agents". It would seem, however, that the writer might at this point have introduced with advantage a systematic account of the general British system of administrative control as applied to this particular colony, gathering up here some threads which are now dispersed through a number of other chapters. After this examination of the structure of the government, its functions are considered in the chapters on "Militia and Defense" and "Financial History". The latter includes excellent accounts of the paper-money controversy and the disputes between the council and the "Commons House" with regard to money-bills. The concluding chapter is entitled "The Downfall of Royal Government". Attention is largely concentrated on the conflict between the assembly on the one side and the governor and council on the other, rather than on the origin and growth of the popular Revolutionary movement, the author's purpose being to show that the final break with the mother-country was largely the result of the old conflict between the popular and "prerogative" elements in the provincial government.

The appendix contains a number of official lists, corresponding in general to those given in McCrady's *South Carolina under the Royal Government*, but worked out in some cases to different results. The table of contents and index are both good. All in all, this monograph may be regarded not merely as an important contribution to the history

of South Carolina, but also as one of the essential books for the general student of colonial institutions.

EVARTS B. GREENE.

In a perfunctory introduction to *The Memoirs of Rufus Putnam and Certain Official Papers and Correspondence* (published by the National Society of the Colonial Dames of America in Ohio; compiled by Miss Rowena Buell, and well printed by Houghton, Mifflin, and Company, 1903, pp. xxxvi, 460), Senator Hoar confidently assigns Putnam to that galaxy composed of the "few men to whom it has been given to stand at the parting of the ways, or the parting of the waters, to turn the currents of human history and to determine the destiny of States and Nations". Students of the history of the old Northwest will regard the foregoing statement rather as a thesis than as a conclusion. Senator Hoar's "impregnable foundations" for so enrolling Putnam are, first, that before, during, and after the passage of the Ordinance of 1787 Putnam was responsible for the exclusion of slavery from the Northwest Territory; second, that at the beginning of the Revolution he compelled the evacuation of Boston by the British; third, that he saved Washington's army in New York "at the single most trying and dangerous period of the Revolutionary War".

Without committing oneself as to the historic accuracy of the estimate which Senator Hoar first placed on Putnam's work and worth at the Marietta centennial celebration in 1888, and which he now reiterates, it is quite within bounds to say that the memoir and papers given to the world through the Colonial Dames of Ohio are invaluable additions to the fast-gathering materials for an adequate history of the territory north-west of the Ohio. Moreover, the memoirs help materially to dispel the mystery surrounding the seemingly incredible achievements of the men who laid the foundations of the republic. For example, Washington asserted that Putnam was the most capable engineer he discovered in either the French or the American army. Putnam himself speaks of it as one of "those singular circumstances which I call providence" that at the opportune moment when Washington had put upon him the burden of fortifying Dorchester Neck, he chanced upon a copy of Muller's *Field Engineer*, from which he learned how to construct that particular kind of defense known as a "chandelier"; but that book, valuable as it was to the amateur engineer, must have been but foolishness to a mind not trained, as Putnam's had been by hard experience and keen observation under "the fortress builder", General Amherst, during the French and Indian War. As it happened, the new knowledge was used to the incalculable advantage of the Americans. Also, we may be sure that the training Putnam gained as a surveyor in Maine and Mississippi was exactly the schooling needed to develop the founder of Ohio.

The memoirs cover the period from Putnam's boyhood in 1738 to his removal from the office of Surveyor-General in 1803, during the Jeffersonian era of removals for political reasons. The omissions are

numerous ; and one has to be thankful for what is bestowed, regretting that there is not more detail in Putnam's narration of events of highest moment. To a certain extent the letters supplement the memoirs ; and in several instances the correspondence reveals a master mind dealing with new and all-important questions. For instance, Putnam's reply to Washington's request for opinions on a peace establishment for the United States after 1783 showed a clear comprehension of the methods of protection for the western frontier ; and had his simple, logical, and adequate advice been taken by Congress, thousands of lives and millions of dollars would have been spared. In his letter to Fisher Ames, in 1790, arguing for the retention of the western territory by the United States, Putnam shows at once the courage, the calm judgment, and the prophetic insight of a statesman. The western country, he argued, might be driven by neglect into the arms of England or of Spain ; both self-interest and inclination attach the people of that territory to the United States.

A touch of humor all unconscious is given to the volume by the retention of Putnam's unique variations on the orthography of his own day, diverse as it was. Indeed there is difficulty at first in reconciling great mental capacity with a tendency to spell the same word in two or three different ways on the same page. Nor does Putnam confine his eccentricities to himself ; when he copies a letter or a document he gives to it his own peculiar impress. Thus within the space of three lines he makes Washington write "compleated immediately", "agreable", and "servent" ; and Secretary Knox's official pen is brought to indite such absurdities as "ben", "compell", "endevor", and "esteme". Doubtless Fisher Ames recognized the force of Putnam's argument as to the antagonism of interests in the case of the British in Canada and the Western settlers ; but he must have smiled over such a sentence as "a few by permission from Lord Dotchester, or Somebody else, may cary goods into the Indian Country. but the returns must be made to Quebeck. Surely this Government can never Suit their genus nor be for their intrest."

It would have been a decided help if the correspondence had been divided into chapters with brief introductions showing the sequence of events by adverting to leading occurrences, such as the adoption of the Ordinance of 1787, the founding of Marietta, the campaigns of Harmar, St. Clair, and Wayne, and the Jay treaty ; also the Putnam chronology might well have included the dates of his birth and death, together with somewhat more extended information of a biographical character.

CHARLES MOORE.

The American Revolution. Part II. By SIR GEORGE OTTO TREVILYAN, BART. (New York, London, and Bombay : Longmans, Green, and Company. 1903. Two vols., pp. xi, 353 ; ix, 344.)

MANY of us remember the pleasure and satisfaction with which we read years ago *The Life and Letters of Lord Macaulay* and *The Early* ○

History of Charles James Fox. In the life of Fox we found biography and history presented in their most charming form and most intimate relations, we saw a style that was peculiar, personal, almost quaint but always fascinating, and we discovered that the author had a remarkable sureness and deftness of touch that could come only from much thought, long study, and clear-headed appreciation of facts. The first volume of the present series we took up with misgivings; we dared not hope that the author after a silence of twenty years would speak so clearly and winningly as before, but our misgivings soon disappeared. Here was the same charm, the same wealth of allusion, the same evidence of living familiarity with Sandwich and North and all the rest, a familiarity which had bred much more than contempt. Here too was the old capacity for coining epigrams that were for some curious reason not forced or artificial or stilted but seemed to run into the lines as simply and naturally as did prepositions or commas.

What then can be said about the volumes now before us? Are they as attractive as their forerunners? The only one who can give a satisfactory answer probably is some one who does not know the forerunners — a contradiction of course, and yet perhaps the safest guide would be the judgment of some one to whom Sir George Trevelyan came as a novelty and a surprise. If we must confess that these new books do not hold us as before, to what can we attribute the difference? If the difference is not in ourselves, perhaps we miss the spicy gossip from London, perhaps there is too much space given to intolerant old Dr. Johnson and highly respectable John Wesley, perhaps we do not care so much to read of Washington's failures at New York and his successes in New Jersey as we do of the knaveries of the so-called statesmen of Westminster. With all the author's remarkable knowledge of American life one hundred and twenty-five years ago, with all his power to dwell on the little illuminating things that seem to grow big under his touch, we wonder whether he really knows America as well as he knows the London of Fox and Burke, and whether in the midst of all this familiarity there is not a certain far-awayness that destroys the illusion of reality. And yet none of us is so beyond his prime that he can fail to rejoice in the skill with which the author treats such men as Weymouth — one of those splendid rakes whom George III., defender of the faith, gathered about him in his effort to uphold the dignity of his empire. "He so far mended his ways", we are told, "as to take to wine; and he could converse over it brilliantly and agreeably until that hour of the morning when the banquet had lost all resemblance to a feast of reason. . . . The first, and perhaps the most important, of Weymouth's public services was to enable an English prime minister to ascertain the low-water mark of character which would qualify a nobleman for the occupation of Dublin Castle." Certainly such satire could not be surpassed by Juvenal in meter, while, in comparison, much of the writing of Junius seems awkward. Of Fox's speech on Lord North's non-intercourse bill, the author says: "It was common-sense, red-hot; and Ministers did not venture to touch it except

with the very tips of their fingers." The author's severest castigation is reserved for Shebbeare, one of the malevolent pensioned pamphleteers that sought by their pens to fight the battles of the ministry: "His first literary effort was a lampoon on the surgeon from whom he had received a medical education; and his last was entitled 'The Polecat Detected'; which was a libel, and not, (as might have been supposed,) an autobiography." It is difficult to forbear quoting one more sentence, which is chosen because it is thoroughly characteristic of the author's amusing practice of joining together the tangible and the intangible, the real and the tropical, in the same sentence: "Oppressive prosecutions of publishers and printers in the King's Bench alternated with angry, and sometimes undignified, debates in the House of Lords; and Mansfield too often had to pick his way back out of the tumult with his composure ruffled and his ermine soiled." Such writing as this is not so common that we can afford to pass it by without comment, and if it strikes the sober-minded historical scholar as flippant, let us say that it becomes flippant only in the hands of the inexpert imitator, who may think that antithesis and homely metaphors make up for paucity of knowledge.

The value of the books does not lie, for the American reader at least, in the narration of the military campaigns. These are of course interestingly told, with a wealth of personal reference and in such a way that the reader does not for a moment look on the army as a mere machine; it is always made up of human beings. But those who are not already acquainted with the main strategy of the war will be likely to become at times hopelessly confused; for the writer does not hesitate to ramble when he wishes to, and the reader is generally content to ramble with him. The chiefest interest, once again, is in the treatment of English politics, in the author's earnest endeavor to show that the people of the mother-country were ill-represented by Parliament and that they did not sympathize with the oppressive measures of the ministry. One feels that the author has undertaken an enormous task and one is unwilling to confess that he has thoroughly established his position. But he has beyond question given us much to think about, and has shown his usual ingenuity in gathering his evidence from all sorts of neglected corners. The last half of the second volume is taken up with a consideration of English conditions during the war and is most valuable and entertaining reading. He discusses the contemporary fears for English liberty and shows how real many men thought the peril to be; he discusses the newspapers, the pamphleteers, the opinions of the historians of that day, the feeling of the cities, the nation and the war, the talk of men, the loyalist exiles; and if one is not convinced that the author's conclusions are altogether unassailable, one is gratified for an array of interesting and telling facts that throw new light on the Revolution and give it new human meaning.

Thus far the author has reached only the early part of 1777. Are we to have several more volumes? Can he treat in such detail and with so much illumination the next five years? Possibly he does not care to, and anyway he has now in great measure told his story. As far as Eng-

land is concerned, we have before us Trevelyan's view of the American Revolution, but we would wish him length and strength of days to finish the tale after the American revolt expanded into a European war. On the American side much remains to be done; here too the conflict was a party conflict, and the author has not as yet succeeded in presenting the confusion and upheaval of the quarrel on this side of the water—the social reactions, the influence of frontier sentiment, the neighborhood feuds, the border strife, the political maneuvering and chicane, the greed for pelf, the self-sacrificing devotion, the plenty and want, the nobility and sordidness of the American Revolution.

A Century of Expansion. By WILLIS FLETCHER JOHNSON, A.M., L.H.D. (New York: The Macmillan Company; London: Macmillan and Company. 1903. Pp. xi, 316.)

DR. JOHNSON'S book is a popular account of the territorial growth of the United States. He points out the fact that American expansion is something more than geographical extension, that it involves the life of the people and is a continuation of the movement that began with the planting of the colonies. Upon this theory he devotes the opening chapters to the struggle with France for the possession of the Ohio, to Clark's conquest of the northwest, and to the treaty that closed the Revolution. This conception of the subject is admirable, but unfortunately the author's knowledge is unequal to its adequate treatment. Errors of detail are numerous. Among them are mistakes in dates and proper names; the stories of a Jesuit seminary at Kaskaskia, of the Flathead mission, and of Whitman's saving Oregon, and the statements that England purchased New York from Holland in order to secure a continuous sea-coast, that the taxes which caused the Revolution were imposed to meet the expenses of the French and Indian War, and that Jefferson sent Lewis and Clark overland as a part of his campaign against France for the possession of Louisiana. Nor are the general impressions conveyed accurate. The account of the peace negotiations at the close of the Revolution is badly warped. There is no appreciation of the difficulty of the position in which a dual alliance placed France, nor of the game which England played in order to detach the United States from France, but relations with England are represented as "particularly cordial". In the whole book Botta is the only authority cited upon this subject. In the case of Texas there is no presentation of the various elements that entered into the situation; the two annexation movements are not distinguished, but the acquisition is charged chiefly to the rapacity of Andrew Jackson. Most misleading is the discussion of the Oregon treaty, which is characterized as a "monstrous betrayal" and a "criminal concession", whereas in fact we were irrevocably committed to the line of the forty-ninth parallel and secured in that boundary all that we could reasonably ask.

The legal opinions set forth by Dr. Johnson are even more amazing than some of his historical statements. He derives the power to acquire

territory from the assertion of the Declaration of Independence that the United States have full power to do all things which independent states may do. This of course includes the power possessed by other states to acquire and govern colonies, and in this, as in all other respects, the United States must be the peer of any. He further argues that the power, originally derived from the Declaration of Independence, is confirmed by the provision of the tenth amendment to the Constitution reserving to the people the powers not delegated to the United States. The power to acquire territory, not having been delegated to the United States by the Constitution, is therefore "reserved to the people, and is to be exercised by them as their other legislative and executive powers are exercised, through the general government" (p. 106). As to the precise mode of exercise, the author is not clear. Texas, he says, should have been acquired by treaty, if at all, but, although devoting the longest chapter in the book to the acquisition of the Hawaiian Islands, he does not suggest that there is any question of the constitutionality of acquiring by joint resolution territory which is neither admitted nor intended ever to be admitted as a state.

The author's ideas of national rights and obligations are hardly less confused than his opinions upon constitutional law. In the preface he says that the story of expansion is "not all pride and sunshine. The nation has not always acted wisely and well. There are things to condemn as well as to commend. Acts are not always necessarily right just because our own country performs them." In the body of the book, however, every aggressive step, except the annexation of Texas and the Mexican War, is accorded unqualified approval. He claims that we exercised a protectorate over Cuba in the interest of Spain which rendered us responsible for the peace of this island; that withdrawal from the Philippines would have been a "course . . . worthy only of a pirate"; that we have a natural right to seize the Isthmus, should transit be unreasonably or arbitrarily denied; that we have a "reversionary right" to the West Indies, and that we must stand ready to take for ourselves whatever we are unwilling that others should acquire. This is the doctrine of the Ostend Manifesto, denounced by the first Republican platform (1856) as "the highwayman's plea, that 'might makes right.'" Its enunciation and popularity disclose the extent to which war blunts the moral sense of a people.

F. H. HODDER.

Historic Highways of America. By ARCHER BUTLER HULBERT. Vol. VIII., Military Roads of the Mississippi Basin. The Conquest of the Old Northwest. Vol. X., The Cumberland Road. Vol. XI., Pioneer Roads and Experiences of Travelers. (Cleveland: The Arthur H. Clark Company. 1904. Pp. 237, 208, 201.)

In his series upon historic highways in the northeastern and north central portions of the United States, Mr. Hulbert includes a study, un-

der the head of military roads, of the route used by Clark in the "Illinois country", of those employed by St. Clair and by Wayne in their several expeditions into the present state of Ohio, and of those chosen by Har-mar, Hardin, and others on their minor Indian campaigns into the same region about 1790. The title seems rather large for a study confined geographically to a space three or four hundred miles long and covering chronologically less than twenty-five years. Of the routes taken by these expeditions, only that of Clark is in any degree uncertain. The author has made a special study of the several possible routes from Fort Massac to Kaskaskia and from Kaskaskia to Vincennes and has marked his conclusions on a map. He differs in many particulars from Draper (MSS. in Wisconsin Historical Society library) and from William H. English (*Conquest of the Northwest*). The descriptions of the other campaigns and their routes, although well-written, offer little that is novel.

The sketch of the Cumberland National Road, which forms a number, has been touched upon frequently in preceding volumes of this series. The author here presents a revised reprint of his contribution on this subject to the publications of the Ohio Archeological and Historical Society several years since. From the standard of the picturesque and the realistic, this is the best monograph yet written on this important public work. Drovers, wagoners, stage-drivers, and tavern-keepers here find proper places. An appendix itemizes the \$6,824,919.33 appropriated by the national government to build this connecting link between the east and the west. One wishes the writer had dwelt more upon the Union-making influence of the road and its loosening effect upon the bonds of strict construction; but this treatment might not be appropriate to a popular writing. The author closes the volume with a vision of the old highway rejuvenated and repeopled by the coming generation of outdoor-living Americans.

The treatment of pioneer roads is designed to make a sub-series. The first volume, here presented, need not long detain the reader familiar with pioneer writings. Of its four chapters, one is taken from Francis Baily's *Journal* and another from Judge James Hall's well-known *Legends of the West*. A third chapter describes the "trace" made by Ebenezer Zane under government instruction in 1796. It extended from Wheeling, now West Virginia, to Limestone, Kentucky, traversing the present state of Ohio in a southwesterly direction. Over it the mail was carried from the Braddock Road to Kentucky. Here the author departs from the apparent chronology which has for the most part marked the series, to treat of President Jackson's veto of the Maysville Road bill in 1830. He considers the Maysville Road as the natural extension of the Zane Trace. It is true that mail was carried over the one as supplementary to the other. But it is not certain that the promoters of the Maysville Road as a link in the great western highway to New Orleans in 1830 would have advocated the Zane Trace in Ohio as another link. The fourth chapter in this volume is a very readable description of the evolution of the public road from trail to turnpike. Much of the testimony is taken from

contemporary travelers, who bear uniform witness to the hardships of journeys in the olden time.

EDWIN E. SPARKS.

Napoleon, a Short Biography. By R. M. JOHNSTON. (New York : A. S. Barnes and Company. 1904. Pp. xv, 248.)

THIS is "a lightning portrait" of the poor Corsican who one hundred years ago by the force of his intellect and character, aided by conditions which furnished him an opportunity, made himself emperor of the French. The author does not pretend that it is anything more. In the immense mass of literature relating to the Napoleonic period, "probably approaching forty thousand books", it is easy for the student of even a limited part of the tremendous story to lose his way. To retain a proper perspective of the whole picture, to keep the main facts of the troublous twenty years crisply in view, may lead him more than once to resort to such a volume. Details else might drown him. In this sense the book is useful and well-balanced, although, because it is a mere sketch, some lines of the portrait are purposely drawn with a stronger hand than would be permissible in a finished portrait. The pages contain more about the politics of Europe and the affairs of state of France than they do of the wonderful military exploits which made it possible for Napoleon to rise. Some of each are more fully treated than others. To the eighteenth Brumaire, the Code Napoleon, the Cadoudal plot, and the execution of the Duke d'Enghien, considerable space is given, as if in the author's eye these were the character lines of the face. The military side is of necessity wanting, although to the civilian reader the general idea of the campaigns is pointed out. As is perhaps natural, and as English-speaking peoples demand, the closing drama of Waterloo is afforded much space. Yet it was not Waterloo which lost Napoleon his throne. Had he won the battle of Waterloo, he must have been later defeated in the same year. Regarded from the military standpoint, the battle of Waterloo, to which twelve pages are given, is of less interest and showed far less ability than the operations south of Ratisbon in 1809, to which six lines are devoted. Writing for the audience he does, the author is no doubt justified in thus finishing his croquis with a bold black stroke, for few people care to study Napoleon's campaigns intimately. To one who has patiently assimilated the 22,067 official documents, plus the St. Helena papers, in the *Correspondence of Napoleon*, the portrait must necessarily appear crude; but within the compass of 250 small pages, it is doubtful whether more could be done.

As a soldier Napoleon committed fewer mistakes and did finer work than any other man of modern times. As a statesman his great mistake was not to see that whatever plan of conquest he might by military force accomplish would eventually be wrecked by the aspirations of all countries speaking the same language to remain one. Yet he could not refrain from playing with the states of Europe as if they were a pack of

cards. In his younger years he saw facts and gaged their value with an unerring eye. In later years success seems to have robbed him of this power. In the German campaign of 1813, he could, by European guaranty, have saved France to himself and his family, with its limits of the Rhine, the Alps, and the Pyrenees; he was not wise enough to accept these terms, and his personal ambition realized naught. Napoleon's labors were limited to working out the results of the French Revolution, and preserving for France, Italy, and the adjoining states the instincts of liberty which have helped them out of the slough of tyranny. What more he might have created could not be maintained by any one less strong, and men of his stamp are rare. His scheme to emulate Charles the Great was bound to fail.

This volume is furnished with nine diagrammatic charts which elucidate the text, with a chronological table and a bibliographical note at the end of each chapter, and with an appendix giving the family tree of the Bonapartes, and showing how Prince Victor still represents the imperial aspirations of a considerable body of Frenchmen. The style is strong and fluent, and the book is well printed on good paper. For any one — and in busy to-day there are many such — that simply desires to refresh his memory as to the two Napoleonic decades, no volume can be more highly commended. The most interesting of the charts is opposite page 170. It shows at a glance how large a part of Europe Napoleon had added to France in 1809. Had a few of the great rivers been added to orient the whole, and had the ante-Revolutionary limits of France been inserted in black, the chart would have been yet more effective.

THEODORE AYRAULT DODGE.

Hanover and Prussia, 1795-1803: a Study in Neutrality. By GUY STANTON FORD, Ph.D. [Columbia Studies in History, Economics, and Public Law, Vol. XVIII., No. 3.] (New York: The Macmillan Company; London: P. S. King and Son. 1903. Pp. 316.)

THE twenty years from the death of Frederick the Great to the formation of the Confederation of the Rhine is still for Prussian history largely a *terra incognita*, especially to English readers. Sorel has done much to elucidate the diplomatic intricacies of the earlier part of this period, and the great Prussian statesmen and reformers of the Liberation Era have had their biographers. Dr. Ford's admirable study now gives a very satisfactory account of the diplomatic history from the peace of Basel to 1803. In writing of Hanover it has been usual to assume as a matter of course that since George III. ruled in England and in the Electorate, there is a close connection between English and Hanoverian policy, and that the former determined the latter. Dr. Ford's whole thesis goes to show that this is not so; that in reality any close study of Hanoverian policy at once necessitates a study of that of Prussia. Prussian, not

English, interests determined Hanover's fortunes. For instance, in 1795, though England remained at war with France, and Pitt stated in the House of Commons that "the Elector of Hanover will never separate himself from the King of England", nevertheless Hanover soon found it necessary to adopt neutrality and come within the line of demarcation which Prussia had established for her. The treaty of Basel, instead of being the diplomatic revolution in Prussian policy and "the greatest political mistake of our modern history" as Treitschke vigorously asserted, was in reality a return to Prussia's natural policy of friendship with France. "Prussia, viewing things as they were at the time of the treaty of Basel, was justified in thinking the moderate policy would triumph in France and be satisfied with Belgium, Luxemburg, and Savoy, and that Prussia needed her strength to face the powers beyond the Danube and the Vistula rather than those of the Seine" (p. 57).

Of especial interest from the point of view of international law is the development and failure of the neutrality idea. The idea in itself was a good one, but its practical execution at once met with difficulty. The French did not strictly observe the original line of demarcation, and a new one had to be drawn in 1796. It soon became clear that some kind of a "demarcation army" was necessary to make neutrality mean anything in view of the ever-encroaching French frontiers; in short, that the only kind of a neutrality that is good for anything is an armed neutrality. But Prussia's actual army was not large enough for this purpose, and her dilapidated finances did not permit any great increase in her forces. Meanwhile the minor states within the line were too jealous and distrustful of Prussia either to grant her subsidies or to raise a force of their own. In the negotiations which aimed to raise a demarcation army, and especially in the Hildesheim Congress of 1796-1797, many persons hopefully looked forward to a definite hegemony of Prussia in North Germany, either through the grouping of states in a revived *Fürstenbund* or by a division of the empire between Austria and Prussia. But all such hopes were rudely shaken by the czar of Russia. The year 1801 gave the *coup de grâce* to neutrality. The mad Paul, after a bitter and extreme hatred of France, had suddenly, by a violent reaction, become an enthusiastic admirer of Napoleon and an uncompromising foe of his recent ally, England. He was eager to do anything to injure England. Therefore he suggested to Frederick William III. that he occupy Hanover, close the Elbe and the Weser to English commerce, and ultimately keep the Electorate as an indemnity for the Rhine lands which he had given up to France. Frederick William hesitated: he had given his word of honor that he did not intend to take Hanover; he had always maintained that the Electorate was distinct from England and should not be made to suffer on account of England's wars; he saw it would embroil him with England and probably compromise his neutrality. Therefore he still hesitated. On March 25, 1801, he was abruptly informed by Krüdener that unless Prussian troops were sent within twenty-four hours to occupy Hanover, Russia would withdraw

her ambassador from Berlin and send 80,000 Russians into Prussia! On March 26, "with tears in his eyes", Frederick William complied. This action opened him to the charge of breaking his promises, of pursuing a greedy policy of territorial aggrandizement at the expense of his neighbors, and of weakly knuckling to the demands of Napoleon and Paul. It was humiliating, but it was not the worst. After a few weeks Paul died. Alexander reversed his policy, made peace with England, and expressed his wish that Hanover be restored to George III. A second time Prussia did Russia's bidding. To the diplomats of the time this was an open confession of weakness. After 1801 no one need be surprised at 1806.

Dr. Ford's study is based on a careful examination of the archives of Hanover, Dresden, and London and of the printed sources, and is of much value and interest to the student of this period.

SIDNEY B. FAY.

Catalogue of Parliamentary Papers, 1801-1900, with a few of Earlier Date. Compiled by HILDA VERNON JONES. (London: P. S. King and Son. 1904. Pp. viii, 317.)

THE great and constantly increasing mass of literature published for the British government and long generally known as blue books had its beginnings in the present form as comparatively recently as 1837. Reports from state departments were submitted to Parliament from about the time of the Revolution; but until 1801 few of them were officially printed in separate form. They were usually spread in full on the journals, as were also the reports of Parliamentary committees; and when the *Journals* were printed these reports for the first time became generally accessible. There has never been a government printing bureau in England. Government printing was first done by the holders of patents from the crown, and later on by contractors; and at no time have the reports of Parliamentary committees and royal commissions been gratuitously distributed. They have been, as they are to-day, sold at cost through the authorized government publishers, a method of issue dating from 1837.

Since 1801 it has been customary to print in blue-book form reports which previous to that time were inserted in the journals; but for many years after this plan was adopted public documents as a general rule were obtainable at the time of issue, only through members of Parliament. There must always have been some demand for Parliamentary papers; for in several of the eighteenth-century post-office statutes there were clauses providing that they should be carried postage free. Members of both Houses of Parliament at this time enjoyed the now-long-abolished privilege of franking; but in the latter part of this period the number of letters a member of Parliament might receive or send without payment of postage was rigidly limited. Hence the necessity for special provision in the post-office acts for Parliamentary papers. This public interest in Parliamentary documents is also further borne out by the fact that as early as 1773 a selec-

tion of reports from committees was published in four large volumes. These were followed in 1803 by eleven more volumes, whose contents were selected by a Parliamentary committee, which at the same time drew attention to the necessity of an index to the fifteen volumes. Luke Hansard, who was the printer of the *Journals* from 1774, and whose son, T. C. Hansard, originated the *Parliamentary Debates* in 1803, undertook to make the index; and to it he added a list of reports inserted in the journals of the Commons from 1696 to 1800, but not included in the fifteen volumes which his index covered.

These fifteen volumes, which included only the *Reports of Committees*, served until 1825, when on the recommendation of a committee another series was published, in which were included reports of commissions and other Parliamentary papers of permanent value. For this third series it was claimed that "there is scarcely a subject connected with the Laws, Institutions, Commerce, and Morals of the Country, but what will be found treated on:—Administration of Justice, Privileges of Parliament, the National Church, Education, Arts and Manufactures, Agriculture, Trade, Criminal Law, Police, etc.," it was added, "all have their place . . . and the important and useful information they [the volumes] contain justifies the enlargement of the field of selection."

After the issue of the last of these selections from the Parliamentary papers, it became possible to obtain current Parliamentary reports at the Vote Office; but until 1837 they could not be obtained singly, as only complete sets covering a session were sold. Papers so obtained found their way into a few of the more important public libraries; and in 1835 the Society for the Diffusion of Useful Knowledge began to include Parliamentary papers in its list. It apparently pushed the sale of reports of more than usual interest, such for instance, as those of the commissioners who investigated the pre-reform condition of the English, Scotch, and Irish municipalities. Brougham and other Whig politicians were zealous supporters of the society; and it was apparently through some such influence as theirs that the society had the privilege of obtaining from the government printers papers of exceptional interest.

In 1834 and 1835 there were committees of the House of Lords and of the House of Commons to devise better methods of circulating public documents; and in 1837 the plan of issuing them at cost through authorized publishers was adopted. When the franking of letters was abolished in 1840, the old privilege of members of Parliament of sending public documents through the post without charge also came to an end; to-day publishers who handle these documents must pay postage on them at the same cheap rate that books of other descriptions are carried through the mails in England.

For several centuries the universities enjoyed the perpetual right to publish the *Statutes at Large*. In the eighteenth century both Cambridge and Oxford ceased to exercise this privilege; and the printing of *Acts of Parliament* then became the right of the king's printer, who enjoyed it by virtue of a royal patent, and who claimed the exclusive

right of printing and selling every act of Parliament in Scotland and Ireland as well as in England. This monopoly greatly increased the price to the public and also to the government. Its disadvantages were reported upon by a Parliamentary committee of 1835, of which Hume, the reformer and economist, was chairman; but exactly half a century elapsed before this monopoly could be terminated, and the right to print the *Acts of Parliament* was finally transferred to the Stationery Office, which now issues them through its authorized publishers.

Since Parliamentary committees ceased to select reports for publication in book form and to issue them with their sanction, there has been only one long-sustained attempt to popularize blue-book literature. It was made by the late Professor Leone Levi, who in 1856 established a periodical summary of Parliamentary papers. The scheme was a comprehensive one. The summaries were judiciously and carefully made; and Professor Levi was enabled to continue the work until 1868, by which time he had produced eighteen volumes. After he had abandoned it, Parliamentary papers were left to the newspapers and to the economic reviews, which made a selection of such of their contents as were likely to appeal to their constituencies. To-day, however, all the more important English newspapers issue lists almost daily of the reports and documents received from the government publishers. But this is an innovation dating back only a few years, and until the publication of Miss Jones's compilation, there were available to students no catalogues of the enormous mass of government literature that has accumulated since 1800.

Miss Jones does not claim for her *Catalogue* that it is a complete exhaustive list of all papers ordered to be printed by Parliament. It is claimed, however, that the most important papers, diplomatic and colonial correspondence, and reports of royal commissions and select committees are given. And there is good ground for this claim. There are 8,496 titles in the *Catalogue*, which covers 317 closely printed pages. The plan and the arrangement are excellently conceived and admirably carried out. Where the official title is too scant to explain fully the nature of a report or a document, Miss Jones has added a brief description of the contents. I know of only two libraries in this country where there is anything approaching a complete set of the British Parliamentary papers named in this *Catalogue* — the Library of Congress and the Public Library at Boston. But Miss Jones's list will surely find its way into all reference libraries; and with it at hand, the resources of the Washington and Boston libraries will become much more available than they have hitherto been to students all over the country. Not the least valuable feature of the *Catalogue*, it may be added, is that it can to a large extent be made to serve as a dictionary of dates for British political thought and movement in the nineteenth century.

EDWARD PORRITT.

The Louisiana Purchase and the Exploration, Early History and Building of the West. By RIPLEY HITCHCOCK. (Boston: Ginn and Company. 1903. Pp. xxi, 349.)

THE unusual length of title of this small volume is clearly for the specification that restricts. The author "aims only to present a story of purchase and exploration, and the earlier phases of a domain less obviously a unit than the 'Old Northwest' but peculiarly impressive and picturesque." He holds that there was "no single book which tells the story of the West succinctly and includes the work of the Spanish and French pioneers, and also accounts of the various phases of American exploration and of the typical figures and aspects of the Western formative periods". He hopes that his work has "a certain comprehensiveness which will be of convenience and of value to students of the earlier history of the West between the Mississippi and the mountains."

A work with such aims, scope, and purpose must necessarily test the author's powers of condensation, characterization, and articulation, too,—as it is "to afford a continuous and very simple narrative". In insight, judgment of historical values, and perspective Mr. Hitchcock's work is simply admirable. Not so much can be said for the proportion in his treatment. All who wish to consult a guide among the landmarks of the history of the country between the Mississippi and the Rocky Mountains from the time of Pineda's cruise in the Gulf of Mexico (1519) to the Louisiana Purchase Centennial will find this book most serviceable.

Of the four divisions of the book, Part I., on "The Spanish and French Periods and the Purchase" carries out the purpose of the narrative with the highest degree of skill. Part II., on "The Lewis and Clark Expedition" takes ninety-nine pages, more than one-third of the body of the book. It is well done, but out of all proportion. The "Oregon Country" and the whole Pacific coast might have had a different destiny had it not been for this exploration, but the "Louisiana Purchase" would have been developed much as it was had Lewis and Clark never been sent out. Having gone so minutely into details in Part II., Parts III. and IV., on "The Exploration of the West" and "The Building of the West" respectively are very sketchy. We get good glimpses of the salient point in the vast development comprised under these topics. But why should Lewis and Clark have been given ninety-nine pages in a sketch of the "early history and building of the west", while the rapidly attenuated story of all the subsequent growth is compressed into eighty-seven pages?

The author has generally availed himself of the most recent light on controverted questions. He, however, ascribes the beginning of Jefferson's interest in an overland exploration to conversations with John Ledyard, whom he met in Paris in 1786, whereas Jefferson had proposed such an expedition to George Rogers Clark in 1783. The author gets pretty badly tangled up when he essays details on the trails of the far west, and is a little wide of the mark in locating the discovery of gold in California

"at New Helvetia" (p. 256). These, it is true, are minor matters, but if a venture is made at a specific statement, there is no excuse for inaccuracy.

For the intelligent citizen whose attention has been arrested by the historical significance of the centennial celebration at St. Louis there could be no better help than this book gives. It will also be of service to the young student in getting his bearings in this field, and it has value in challenging a revision of the conclusions of those more deeply read in this part of American history. Appendixes give a copy of the treaty of purchase and a statistical summary of the states and territories formed from the Purchase as they had developed down to 1900. A list of historical events accompanies the showing for each state.

F. G. YOUNG.

A Brief History of Rocky Mountain Exploration, with Especial Reference to the Expedition of Lewis and Clark. By REUBEN GOLD THWAITES. [Expansion of the Republic Series.] (New York: D. Appleton and Company. 1904. Pp. ix, 276.)

THE purpose of this volume is to sketch the most notable explorations by which the western half of the continent was made known to the world in "the long stretch of fruitful years, from Balboa's crossing in Darien to the completion of the transcontinental railways in the United States". Mr. Thwaites frankly makes the Lewis and Clark expedition the central feature of his book, devoting to it seven of his fourteen chapters. The exploration of the Pacific coast, and a summary of French and English explorations from the east prior to 1800, receive sixty-two pages, and form the background of the main story. The last four chapters, dealing among other topics with Astoria, Pike, and Long, the Rocky Mountain fur-trade, and the settlement of Oregon and California, are assigned sixty-four pages, leaving one hundred twenty-five pages to be distributed among the other seven chapters. The work might therefore without serious impropriety be styled a history of the Lewis and Clark expedition, with some account of prior and subsequent explorations.

As an account of the famous expedition of 1804-1806 it is instinct with a vital interest rarely discovered even in books of adventure. Nothing more felicitous has come from Mr. Thwaites's gifted pen. Not alone the youth, for whom the book is primarily intended, but the mature student as well, can profitably make use of this charming narrative of exploration.

The three chapters treating of earlier discoveries are also very effectively written and add considerably to the value of the book. But for some reason the concluding section, embracing Chapters XI.-XIV., seems to have commanded the author's devotion far less perfectly than the other parts. Here we find a number of erroneous statements and a few serious misconceptions, which mar the general excellence of the book. For example, Pattie is called "the first white man to cross the

continent to California", when that honor properly belongs to Jedidiah S. Smith. Moreover it is doubtful if the phrase "modest narrative of adventure and discovery" correctly describes the so-called "Pattie's Narrative". At all events the much-buffed adventurer possessed a suspicious sort of facility in discovering angels of mercy at critical junctures, and his account of the sufferings of his party in California has, on the authority of an associate of Pattie, been pronounced mainly fictitious. Bonneville did not take "wagons and goods" all the way to the Columbia, as implied on page 222; only a remnant of Wyeth's party settled in Oregon; the Whitmans settled near the Columbia, not the Willamette; the 1843 migration reached the Columbia before the Willamette; Bent's and St. Vrain's forts were not Hudson's Bay establishments; gold was not first discovered at Sutter's fort, but at the sawmill some fifty miles from the fort. These are slips which do not, however, greatly impair the value of the book.

A more serious blemish is the unhistorical account of the relations between the Hudson's Bay Company and the pioneer settlers in Oregon. There is no foundation for the assertion that "The Hudson's Bay Company . . . was the violent enemy of these new-comers. . . . Not infrequently the agents of the great corporation incited the Indians to infamous outrages upon the settlers." Such fictions, the extreme distortions of an age of international strife over Oregon, have, it is true, found their way into popular historical literature. But the student of the real history of this region must feel a deep regret that they should be perpetuated in the work of a historical scholar like Mr. Thwaites, a work which is marked by surpassing excellences in most other respects.

JOSEPH SCHAFER.

American Tariff Controversies in the Nineteenth Century. By EDWARD STANWOOD, Litt. D. (Boston and New York: Houghton, Mifflin, and Company. 1903. Pp. xiii, 410; xiv, 417.)

IF the adjective American be understood to refer to the United States solely, Mr. Stanwood's title will be found to indicate with accuracy the scope of his book. No intimation has been found in it that the industrial conditions of the New World, taken as a whole, may have given rise, throughout America, to a common tariff problem. If any such idea occurred to the author, he put it by in order to turn his attention to the United States alone. And even here he discusses but incidentally such matters as the several tariffs themselves, or their influence upon our general prosperity, or upon our manufactures, or even upon our politics. His labors are strictly confined to the tracing of our tariff controversies — chiefly those occurring within the halls of Congress.

The character of the narrative is, in general, what Mr. Stanwood's *History of Presidential Elections* might lead us to expect. That work — become, in its last edition, *A History of the Presidency* — has long been known. It is justly esteemed for convenience, clearness, and a fair

degree of impartiality. The new book, dealing with "the most persistent issue in American politics", may well be an outgrowth of the older one. In a general way the two are similar. The new is better provided with references than the old, and so far as I have been able to check its accuracy, it is prepared with the same diligent care. It is written in the same clear, rather formal style. It is not notably suggestive, and it is seldom, if ever, profound. But it is never banal, or ill-tempered, or insincere. It differs from its predecessor chiefly in its author's avowed partizan attitude. Readers of *A History of the Presidency* can have no difficulty in seeing that Mr. Stanwood's sympathies were with the present Republican party, and generally with the organizations which he regarded as in a sense that party's predecessors. But in *A History of the Presidency* he did not openly argue the case against their opponents. In his *Tariff Controversies*, on the contrary, "The work is confessedly that of one who believes that the system of protection has given an opportunity which the opposing system would not have afforded for the unexampled growth of the country, and who has not advanced this doctrine with more confidence or with more persistency than writers of another school have expressed their abhorrence for protection." So frank an avowal of bias, coupled with so naïve a justification for indulging it, might well prepare us for a book far less impartial than Mr. Stanwood's proves to be. "Readers of the following pages will" indeed "have no difficulty in discovering that the author believes that tariffs have had a powerful agency in promoting the development, the wealth, and the strength of this great republic", and they may even admit, though themselves of opposite belief, that "he has endeavored to present the facts so fully and fairly as to give those who take a different view all the materials that history affords for disputing that position." Such an admission would not concede Mr. Stanwood's success. His ambition was over-ample. History affords many materials for disputing his position which are not to be found within the covers of his stately volumes. But if he has not attained his goal, he has at least pursued a way that leads toward it. "However greatly the author may have failed in the exercise of good judgment in this respect ['the work of selection and rejection'], he is not conscious that his choice of material has been affected by personal bias, nor that any facts essential to the formation of an opinion contrary to his own have been suppressed". The foregoing copious quotations are made because they are fairly descriptive not only of the author's intention, but of his achievement. Undoubtedly his judgment is influenced, in some instances, by his prepossessions. But so long as writers upon the tariff are to be permitted to entertain, in advance, any theoretical convictions whatever about it — and those who are denied the convictions are not likely to produce the books — it is hard to see how we may reasonably expect more impartiality than Mr. Stanwood tries to give us.

It does not follow that he is always impartial, and readers whose prepossessions as to the policy of protection differ from his will have no

difficulty in pointing out inconsistencies which they can plausibly attribute to Mr. Stanwood's bias. Thus by the method of elimination the "instant revival of business" in 1842 is shown to be due to the tariff act of that year: "There was no other change in the situation either at home or abroad"; the act worked "instantaneously" (II. 36-37). But the claim in Secretary Walker's report of December, 1846, that the good results of the tariff of 1846 were already beginning to be experienced, is discredited because the report was dated only nine days after the tariff went into operation. To be sure "the country as a whole was in a highly prosperous condition during the continuance of the act of 1846", but this prosperity was "induced chiefly" by the discovery of California gold (II. 83-85, 95, 111), little or none of which, in fact, reached the east until 1849.

In the accounts of the McKinley Bill and the Wilson Bill, and indeed throughout the narrative of the last forty years, there seems to be an increasing disposition to take credit to Republican protection alone for each period of prosperity, and to shoulder the blame for recurrent depressions, whenever an anticipated reduction of duties is too remote, upon other causes with which the tariff has little or nothing to do. Whether this appearance of increasing partizanship as living issues are approached is due in fact to a change in Mr. Stanwood's methods, or to the reviewer's own imperfect detachment, it is difficult to say. In any event, a careful examination of Mr. Stanwood's work is calculated to deepen the conviction that an acceptable solution of generalized problems, like that of free trade *versus* protection, is not likely to be achieved by the use of a historical method.

Two or three points there are which may not pass without specific criticism. Mr. Stanwood apparently takes the 1819 version of the "Pinckney plan" at its face-value, for he says (I. 328) "Pinckney was more than any other man the author of the Constitution." On page 387 he assigns to "the Virginia and Kentucky resolutions of 1798 and 1799" the word "nullification", which does not appear in the Virginia resolutions at all. The scandal of the attempt of the Middlesex Mills in 1857 to secure from Congress a reduction of the duty on wool, by furnishing \$87,000 to a lobbyist, seems to Mr. Stanwood to illustrate merely "the fact that protection, even of the same industry, is not a matter of fixed and unvarying rates of duty." Otherwise "the incident is not in itself important" (II. 110). Of the relations between the McKinley Act and the silver purchase measure in the Senate of 1890 no intimation is given. The book is handsomely made and accurately printed. The index is inadequate.

CHARLES H. HULL

History of the German Struggle for Liberty. By POULTNEY BIGELOW. Vol. III., 1815-1848. (New York and London: Harper and Brothers. 1903. Pp. xvi, 343.)

IN this volume Mr. Bigelow carries his story of the growth of German unity and liberty from the morrow of Waterloo to the eve of the

Revolution of 1848. As the period is entirely devoid of war, the author gets no opportunity to dwell upon the themes so much emphasized in his first two volumes. The result is a distinct falling off both in interest and in value. Mr. Bigelow's knowledge of military matters and his keen appreciation of such political, intellectual, and social conditions as bear directly upon the operations of war gave decided worth to his first two volumes, despite numerous shortcomings upon other points. His unwillingness to do the amount and kind of work required of the historian of periods of peace deprives this volume of corresponding value.

The author's theory of how history should be studied and written is clearly stated in the preface and consistently applied throughout the entire volume. He believes that "the history of a nation is intelligible only through the eyes of one who is living out its problems" (p. xvi). Despite some serious objections that can be urged against this theory in general, it may be accepted as a satisfactory working basis for treating the history of a people wholly absorbed in the solution of but one great problem. In the earlier volumes Mr. Bigelow dealt with such a period and was able to employ his method with considerable success. Here, however, the case is different. The numerous biographical sketches that constitute nearly the whole of the volume, although often graphic, interesting, and valuable in themselves, do not give an adequate idea of the life of the whole German people, even with reference to the problems of liberty and unity, since the author's typical characters represent only a comparatively small part of the nation.

The most serious defect, however, lies not with the plan, but with its execution. The biographical sketches are not calm and judicial estimates, but partizan eulogies or invectives. Liberals such as Jahn and Blum are portrayed with sympathy; Frederick William III., Alexander, Metternich, and Castlereagh are heaped with ridicule and abuse. No attempt is made to explain their point of view, while page after page is given up to the recounting of court gossip discreditable to them. Their delinquencies were no doubt numerous enough, but they were certainly not the wholly contemptible and irrational creatures portrayed by Mr. Bigelow.

In matters of organization and style, the peculiarities of the first two volumes are maintained and accentuated. There are thirty-six chapters, some of which consist of but three or four short paragraphs. A title and quotation for each chapter usually indicate its principal contents, yet often fail to do so because of the amount of extraneous matter introduced into the text. Although the space at his command is scarcely sufficient for adequate treatment of his general theme, Mr. Bigelow seems unable to resist the temptation to make extensive remarks upon any topic to which a chance allusion is made, even when the connection between these asides and the matter immediately at hand is very slight. For example, the story of the Wartburg festival is broken into for a three-page disquisition upon the Jews during the nineteenth century, and for no other apparent reason than that, in telling of the organization of the

Burschenschaft, mention has been made that it was to include all German Christian students (pp. 12-15). There is but little attempt at logical arrangement, while many of the chapters contain a good deal of repetition and read as if intended for separate publication. The style is didactic, but easy and familiar, savoring rather of journalism than of history. The notes are numerous, but do not add much to the value of the work. A large proportion of them are travel items only remotely connected with the matter at hand. The fanciful illustrations so numerous in the earlier volumes have given place to portraits, most of which are good.

With the standards that at present prevail, no large measure of accuracy is to be expected in a book of this description. Some of the blunders, however, may well occasion surprise. The boundaries of Germany as given on page 77 would probably be satisfactory to the most ardent German expansionist; the Confederation of the Rhine did not last for nearly a century nor did it include the territory upon the left bank which Prussia acquired in 1815 (pp. 126-127); the Reformation was not two hundred years old in 1630 (p. 274); Jackson did not march United States troops into South Carolina in 1832 (p. 267). These and numerous similar errors are probably due to carelessness, but that excuse cannot be made for statements which imply that a constitution for Prussia was actually promulgated in 1815 (p. 7), that the Carlsbad decrees included measures to prevent the separate states of Germany from establishing popular representation (pp. 180-182), or that customs districts such as those of Prussia prior to 1818 existed in England until the repeal of the corn-laws (pp. 21-22).

FRANK MALOV ANDERSON.

The Story of a Soldier's Life. By FIELD-MARSHAL VISCOUNT WOLSELEY. (New York: Charles Scribner's Sons; London: Archibald Constable and Company, Limited. 1903. Two vols., pp. xi, 398; xi, 383).

No one else has the opportunity of seeing so many kinds of warfare as the British officer. The vast colonizing schemes of England subject her army to every species of campaigning except the deadly clash of civilized forces on the European theater. But the class of risks with which few continental soldiers become familiar confront the Briton at every turn. Apart from the dangers of fighting savage and semi-civilized nations, there are the never-ceasing risks of cholera, fever, malaria, heat-apoplexy, dysentery, *et id genus omne*, not to speak of poisonous reptiles and insects. All these and others the author of these interesting volumes has been a part of; and of them he tells in a simple, frank way which makes the narrative interesting. Field-Marshal Wolseley has been a man of war from his youth up. In Burma in 1850, where he was badly wounded; in the trenches and divers assaults at Sebastopol, and in the battle of the Tchernaya, in 1854-1855; in a shipwreck on the way to China in 1857; in the Indian mutiny in 1857-1858; in the Oudh and

Baiswarra campaigns the next year; in China in 1860-1861; in Canada, when he commanded the bloodless but successful Red River expedition in 1870; and finally in the Ashantee war of 1873-1874, this busy son of Mars has spent his years. His Egyptian campaigns are not reached in these volumes. While strictly personal, the narrative of all this warfare affords one a better view of the varied labors of the British officer than any other work one can find. No wonder that with all this experience Tommy Atkins is not only the hero Lord Wolseley calls him, but the "handy man" besides. While firm in his faith that no soldiers ever approached those of his own country, nor any officer the British in self-sacrifice and gallantry, our author is unflinching in his criticism of the constant unpreparedness of Great Britain, of the errors of civilian ministers, and of the undue risks always run by the small armies that are sent out to do work, the difficulties of which are in no sense appreciated by the home government. Nor does he omit to blame the British officer's lack of technical training. While full of praise for his own, barring always the malingerer for whom no words are too hard, he is in no sense ungenerous to others. He has an appreciative word for the French, whose courage at the joint assault of the Taku forts he highly praises: "nothing could exceed their daring gallantry"; "their conduct was 'worthy of the great nation to which they belonged'" (II. 35).

Much of the military work described in these volumes bears a cousinship to that done by our own small army for several generations, in their task of opening up this vast country. The difficulties of the march, the treachery of the foe, the sudden attack, the stray bullet from hiding, the intense heat, the roads cut through virgin forests, the rivers forded breast-high, the distressing distances from water to water, all sound like the reports of our own westward advance a half-century since. Only the blizzard with its frozen mercury and frozen members is absent from Lord Wolseley's narrative. But every page teems with the white man's burden, which the English more than all others have taken up.

What will most interest the American reader relates to our Civil War. While Colonel Wolseley was in Canada, he made a secret trip to Richmond by the "underground route". He was anxious to see what manner of man was "that greatest of all modern leaders, General Lee", or indeed "the great American patriot", Stonewall Jackson. He wanted to gage what produced in the Confederate army the "superior fighting qualities of their splendid and patriotic rank and file". He reached its capital shortly after the battle of Antietam. His sympathies, like those of the majority of Englishmen of the Trent Affair days being strongly Southern, his admiration for Lee is unbounded. He "seemed the greatest man I ever conversed with; and yet I have had the privilege of meeting Von Moltke and Prince Bismarck". "The majesty of his manly bearing, the genial winning grace, the sweetness of his smile and the impressive dignity of his old-fashioned style of address, come back to me amongst the most cherished of my recollections. His greatness made me humble." Jackson equally impressed Colonel Wolseley, but

in a different manner. "I can class him with no one whom I have ever met or read of in history." Lee was the "Cavalier", Jackson the "Ironside". Of Mr. Davis he holds no high opinion. "Puffed up with a belief in his own superior wisdom", his "views upon strategy were opposed to all the teaching of military history". Lord Wolseley speaks lightly of McClellan, but calls Lincoln "One of the very shrewdest of men and most sagacious of statesmen". Pope's "headquarters", "saddle and all his smart uniform exhibited in the shop windows of a Richmond tailor" was too American a joke for the English colonel fully to appreciate.

Historical misconceptions last long. In Germany to-day, the average man, remembering the letters written from the States to his parents, believes that it was the German-Americans who put an end to the struggle. In England many still believe that the Southerners won all the victories, and were eventually crushed only by five to one of their own force. Few appreciate the fact that the numbers afoot until the last year, when the Confederacy was already lost, were but as three to two, while interior lines, perhaps better strategy, enabled the Confederates to bring as many men into tactical touch as the Federals. And if we analyze the fifty heaviest battles of the war, we find that twenty were won by each contestant, and ten were drawn. Moreover in these battles, at the point of fighting contact, the numbers engaged varied only two per cent. As a piece of military business, considering the opponents Lord Wolseley describes and the conditions, the work of the North will stand any comparison.

No one can quarrel with Lord Wolseley for his Southern proclivities. In a way the plantation and slave-owning aristocrat was more akin to the ideal of the British uppertendom than the prosaic Northerner. Yet he has an appreciative word, spoken of a visit to Boston, for "that mixture of kindness and hospitality which are the most prominent characteristics of the American gentleman"; and he means to be even-handed as well as candid. There have been moments since the Civil War when some of Lord Wolseley's utterances anent our volunteers provoked either irritation or irony. The American volunteer asks praise and fears criticism from no one. What regulars have fought through a four years' war with nine combats a week, a pitched battle every fortnight, and an average daily loss of over four hundred men killed and wounded in action? The volunteer's initiative, his courage, his ability to stand punishment and keep on delivering telling blows, his quick recovery from defeat, his cheerfulness under trial, his many-sidedness, his high discipline in all that hard campaigning demands, and this without pipe-clay, need no encomium. His work may be placed beside that of any soldier.

But all this is of the past. We are growing nearer to our British cousins. Time and events mellow the judgment. And time has sat lightly upon our genial author, while passing events have furnished him a fresher measure of values. In view of the strong terms of praise in which Lord Wolseley has of late referred to our army, that man would be wanting in all the instincts of the old soldier who would not "forgive

what may be my prejudices", as in the preface the reader is begged to do, and forget them.

The style of the book is frank and chatty. It is honest soldier's talk by a soldier. Lord Wolseley believes that the profession of arms is the highest. It does indeed in some characters develop the Christian virtues in the most marked degree, even though war itself be hell. And in every country, though the citizen may not be in the ranks, it is the qualities that go to make up the good soldier that are of the most value to the state.

An occasional good story is told in the volumes, as one of Soyer, the great French chef, who put on his irascible wife's tombstone "*Soyez tranquille*". India developed some *bon mots*, as after the relief of beleaguered Lucknow, one of Clyde's officers telegraphed home "*Nunc fortunatus sum*", *i. e.*, "I am in luck now." Was it Napier in 1843 who sent the despatch "*Peccavi*", *i. e.*, "I have Sindh"?

The moral of the book is pointed at the habit of unpreparedness of the Anglo-Saxon nations, which can never understand that safety as well as economy resides only in a condition of constant readiness. Nothing else is so dangerous, so extravagant in the end, as the usual waiting policy of England and America.

The large volumes themselves are well got up, with paper which makes them easy to hold and read. The portrait of the author shows no sign of age, nor of the wound which tore open his face in the Crimean trenches. The story will interest thousands, and after perusing the last paragraph, we shall all welcome its promised continuance, and wish the gallant field-marshal years and strength to complete it.

THEODORE AVRAULT DODGE.

The True History of the Civil War. By GUY CARLETON LEE, Ph.D., of Johns Hopkins University. (Philadelphia and London: J. B. Lippincott Company. 1903. Pp. 421.)

THE field covered by Mr. Lee's book is extensive, including the origins of sectional division from the landing at Jamestown, the slavery controversy, the Civil War, and the Reconstruction period. Within the narrow limits of four hundred pages the book cannot and does not pretend to be a critical history, to sift evidence or digest facts, or even to balance conflicting opinions. It is necessarily general in style and treatment, and its merits must be those of intelligent selection of matter, reliance upon the best authorities, illuminating comment, and fairness in interpretation. It must be practically an "essay on the causes and conduct of the Civil War", and should be judged as such. Viewed from this standpoint, there are commendable features in *The True Civil War*. The style is vigorous, and the sweeping and general character of the writing is freely relieved by personal anecdotes and brief quotations. The author's point of view is also unconventional and calculated to pique the average reader, for the function of the "true" biography or

history seems to be to emphasize the seamy side of characters or events that are usually dealt with in a eulogistic or complacent manner. In such a spirit Mr. Lee has written a "true history" whose purpose is apparently to subject to steadily searching criticism the motives and actions of the Northern side in the whole slavery contest. There are undoubtedly persons who may profit from reading such a volume, and it is to be hoped that the aggressive style, disregard of technical argument, and attractive appearance of the work may lead them to do so.

But, apart from its style and purpose, the book contains nothing upon the slavery question and the Civil War which has not been more fully and far more impartially set forth in recent years. Not to mention Rhodes's *United States*, there is a study of the same years in Wilson's *American People* which analyzes the motives and conduct of leaders and people with equal freedom from conventional Northern bias and with incomparably greater fairness; and the same is true of the different but equally keen treatment of the Civil War in Morse's *Lincoln*. As compared with any of these, Mr. Lee's book is unreservedly partizan, and a list of the instances where by assertion or implication the Northern states are made to appear at a disadvantage is entirely too long for quotation. To take a few examples, the fact that Northern people once held slaves and that emancipation followed the economic decline of the institution is brought forward as discreditable, and the continuance of Northern ship-owners in the slave-trade is held to prove the hypocrisy of the whole section. Abolitionists are grudgingly admitted to have shown devotion and steadfast purpose, but they are usually referred to under such a title as "frothing fanatics". In one sentence the possibility of inhumanity under slavery is admitted to be good ground for condemning the system, but the writer immediately declares that in fact "the physical well-being of the slave was except in certain limited districts the constant care of his master". John Brown is not mentioned without vituperative condemnation, and no recognition is given to the man's fanatical honesty. This tendency leads the writer to enlarge upon the economic and industrial disadvantages of the South during the war but to make no mention of any social or military conditions favorable to Southern armies. It also leads him to omit the numbers in every action except one where the Confederates were superior, but to insert them as a rule whenever the Union forces were in the majority. It leads him to describe Sherman's march in language of unqualified condemnation but to pass over the massacre at Fort Pillow without comment and to palliate without a condemnatory word the Southern treatment of Northern prisoners. Similarly the arbitrary acts of the Lincoln administration in the North are described without any attempt at justification, but nothing is said on the other hand which condemns the "Copperheads" or recognizes anything questionable in their behavior. Again, the Southern vagrant and apprentice laws after the war are termed "wise and necessary", whereas every step of the Congressional policy is described as "the outcome of the desire for revenge and plunder made possible by the illogical theories of incompetent

Congressmen backed by demagogues and a rabidly sectional press". This sort of thing it is evident is anything but "true" history, yet for all its one-sidedness Mr. Lee's book might be of value as a corrective to Northern complacency were it not for certain features which cannot be overlooked. In the first place, the literary workmanship is by no means flawless. The facts are taken from standard works, and in places the authorities are so closely followed that the result is scarcely more than a paraphrase. Rhodes in particular seems to be relied upon, as for instance on pages 114 to 120, where Rhodes's account of the Kansas troubles (II. 153-159) is condensed, the sequence of thought, the quotations, the anecdotes, and many of the phrases being transferred. Again, Rhodes's account of Fort Donelson and of Shiloh is similarly borrowed. Burgess, also, is apparently laid under contribution, the opening chapter of his *Civil War* furnishing the model for pages 135 to 138 of Mr. Lee's book. Adjectives and style are made more emphatic, but the ideas and facts are reproductions. The more general introductory chapters suffer from another difficulty in the discursive essay style adopted, which leads the author to disregard chronology, to repeat under one chapter what has been elaborated under another, and thus to produce an effect of confusion, which is further increased by the vagueness almost inseparable from writing on such a scale. Seward's "higher law", for instance, is referred to several times but is nowhere explained in any intelligible way. The opinion on the constitutionality of the Missouri Compromise in the Dred Scott case is said to have been *obiter dictum*, but it is not explained why, nor is the actual decision of the court given in any form except in the very loose statement that "a slave did not become free by being taken to a non-slave-holding commonwealth".

Finally it is to be regretted that through carelessness or from some other cause the book contains numerous minor errors ranging from probable misprints to actual misstatements. With the former may be classed the foundation of Georgia in "1773", the abolition of slavery by Rhode Island in "1773", the governorship of Gage in "1744", the fugitive-slave law of "1783", the "moral tariff", and Professor Stillman instead of Silliman. Under the latter heading belong such references as that to the Atherton gag "law", the summary definition of nullification as "the right of a state to veto Federal action", the ascription of a Pennsylvania personal liberty law of 1826 to the Abolition movement, the assertion that after the Prigg case "Northern opposition to slavery cast aside all efforts to clothe itself in legal forms". In the period of the Civil War such loose and inaccurate sentences are frequent. Seward, for example, is said to have given "pledges" that Fort Sumter would be evacuated. The *Manassas* is called "a most formidable craft with almost impenetrable protection"; which the testimony of her officers disproves. The numbers at Vicksburg are given at the outset as 75,000 for Grant against Pemberton's 31,000 and Johnston's 11,000, but Grant's brilliant campaign between the two Confederate armies was made with

not over half his final besieging force. At Chattanooga Sherman is said to have carried Missionary Ridge on November 23, and the dramatic storming is described as taking place then instead of two days later. As might be expected, the author fails to be consistent with himself. On page 210 he says, "the ultimate defeat of the South was a foregone conclusion from the start. The vast preponderance of resources in the North confronted the South as with an inevitable fate". But on page 381 he says the subjugation of the South "was an almost impossible task" and that the North won only because the Southern people "had neither the cause which impels to win nor the spirit to uphold a guerilla warfare". Such looseness of statement is characteristic and leads one to regret that while Mr. Lee was performing his iconoclastic task he did not do it in better shape.

THEODORE CLARKE SMITH.

Reminiscences of the Civil War. By GENERAL JOHN B. GORDON. (New York: Charles Scribner's Sons. 1903. Pp. xiii, 474.)

GENERAL GORDON began his military experience as a captain in the first days of the Civil War. Before that he had known nothing of the life of a soldier. He had begun his career as a lawyer, and this vocation had been abandoned for the management of large mining properties in Georgia and Alabama. But he possessed the military genius, and when Lee surrendered Gordon was a lieutenant-general, and this at the age of thirty-three. He was one of the ablest lieutenants of the Confederate commander in the last days of the war. For the early part of the great struggle his *Reminiscences* are not so valuable as for the latter part, and for the simple reason that he was not, during the former, in a position to know much about the inner history of campaigns. In neither part does he endeavor to present a critical account of military movements. He is content, in general, to tell a simple narrative of his personal experiences. This is done in a manner at once charming and instructive. It will appeal to the general reader, just as General Gordon's lectures on the war appealed to many people in all parts of the Union. In this sense the book is one of the most notable of recent publications on the war. The mass of intelligent readers, and they are the people for whom books are chiefly written, will find it one of the best obtainable pictures of life in the Confederate army. It is probable that even the specialist will find it attractive for its human interest and for the color it affords to the general narrative of the Southern side of the war.

Yet General Gordon's book is not devoid of original material. His chapters which treat of the battle of Cedar Creek contain what the author himself tells us is entirely new material. This was the battle in which Early's troops fell on the camp of the Northern army at dawn on October 19, 1864. The Confederates brilliantly turned and surprised Sheridan's left and swept down his lines while the remainder of their army threw themselves against his front. All of the Federal forces except the Sixth Corps were thrown into confusion, and Sheridan, riding back to the sound of the heavy guns, had much ado to rally his broken ranks around

the corps which was still intact. This he did, however, and with his reformed lines he gave victorious battle to the thinned lines of Early. It was the sudden conversion of defeat into victory. There was error on the part of the Confederates in not pressing the retreating enemy early in the morning and dispersing the Sixth Corps. The reason given for this has usually been that the Southern soldiers behaved badly. Early himself accepted this theory. General Gordon denies it explicitly. The failure to press Sheridan's disorganized forces, says he, was due solely to the orders of Early. It was Gordon himself who led the turning column which broke the Federal left. As quickly as that event was accomplished, he made arrangements for surrounding and crushing the Sixth Corps. Before these could be carried into effect Early rode on the field. To Gordon's announcement of his further plans he said: "This is glory enough for one day; they will go of themselves." These facts Gordon related in his report of the battle, but his report did not reach Lee's hands, for what reason we are not told; and consequently it does not appear in the published records of the war. Gordon's evidence on this point is clear and substantiated by the statements of credible witnesses now living. He believes that but for the restraining order of the commander-in-chief it would have been impossible for Sheridan to have rallied his troops within striking distance of the Confederates. As to the charge that the Southern troops behaved badly, by which is meant that they dispersed to plunder the enemy's captured camp, this is denied. They stood in line, says the author, for hours anxiously expecting the orders that would send them forward to complete the work which they had begun. Gordon's statements are strong, and it seems probable that they will withstand the fire of controversy, should it concentrate upon them.

J. S. BASSETT.

The United States in Our Own Time: a History from Reconstruction to Expansion, being an Extension of "The History of the Last Quarter Century". By E. BENJAMIN ANDREWS. (New York: Charles Scribner's Sons. 1903. Pp. xxxviii, 961.)

This is an attempt to review the political and industrial life and progress of the country during the past third of a century. Dr. Andrews begins with 1870 and closes with 1903. In his survey of this period he includes everything that has entered into the life of the American people. He discusses politics, business, law, combinations both of capital and of labor, strikes, lynchings, floods, earthquakes, and expositions. Apparently he accepts Mr. McKinley's dictum as to expositions being "time-keepers of progress", as he devotes space to every one since 1870. There is a fair account of the various frauds which characterized Grant's administrations, particularly his second term, with no attempt to minimize the President's shortcomings in connection with them. Indeed, in all his estimates of men Dr. Andrews is eminently candid and fair. The general summary of Congressional Reconstruction methods and results is very

good. The author seems to have grasped quite clearly the fundamental fact which from the first doomed this plan of Reconstruction to failure and ultimate overthrow: that in the end the intelligence and property of a country inevitably will control and administer its affairs. He is an admirer of Mr. Hayes, and would agree with Ingersoll that probably the country needed such a President just at that time. It is equally as apparent that he would not follow Ingersoll in estimating Hayes as merely "a pretty good plaster".

Even for a popular work the book has too much the appearance of having been constructed out of lectures and magazine articles. It purports to bring "history", especially industrial history, right down to date. It has a word even on the Louisiana Purchase Exposition. Yet in many places the treatment stops with a date by no means recent, according to the standard of the book. This gives the appearance of old matter worked over without proper revision. A discussion of the development and resources of Texas which fails to mention Beaumont oil can scarcely be called recent, even though published in 1903. Particular attention is given the South and the negro. An entire chapter (XXV.) is devoted to the subject, but it is made up of material and data from the eleventh census, taken fourteen years ago. A map is given (p. 757) which shows the ratio of colored to total population, but its date is 1880. A table (p. 761) exhibits the growth of cotton manufacturing in the southern states, but it comes down only to 1894.

The book makes no appeal to the student. It does not pretend to. It falls naturally and properly into the class of essentially popular works of history. This is true of its text, method, and illustrations. It would be mere captiousness to scrutinize such a book with a view to parading its minor inaccuracies of statement. Its evident purpose is to furnish the general reader with a fairly and honestly presented summary of events within its period. It may be commended as creditably accomplishing this object.

ALFRED HOLT STONE.

Sir Wilfrid Laurier and the Liberal Party: a Political History.

By J. S. WILLISON. (Toronto: George N. Morang and Company, Limited; London: John Murray. 1903. Two vols., pp. 472, 451.)

THESE volumes present a battle-field of controversy to the reviewer whose political camp is not that of Mr. Willison; but if they rouse the spirit of debate, it is because they are an excellent plea for the cause of Sir Wilfrid Laurier and the Liberals rather than because they are written in a mood of narrow-minded partizanship. Mr. Willison not only stands in the front rank of Canadian journalists, but is a representative of the best aims which journalism sets before itself in our day. His defense of the Liberals as a party is based upon his advocacy of the principles which have prompted them since the days of confederation. That he heightens the strong points of his case and tends to glide over thin ice is but

natural. For example, he lays bare in a powerful indictment the neglect of Sir John Macdonald to avert the rebellion of the half-breeds, while the subsequent relations of Laurier and Mercier are given much less prominence than they would receive at the hands of a biographer from Mars. His tone, however, toward opponents is fair if not generous, and he shows distinct talent in emphasizing the best features of Canadian public life.

Mr. Willison is fortunate in his subject. Canadians of whatever race or province look upon Sir Wilfrid Laurier with pride and are attracted by his personality. If we except a negligible faction of extremists, it may be said that he has awakened national interest in himself and that national sympathy attends the development of his career. He possesses grace, dignity, eloquence, and an open mind. He has always been a courteous opponent. Even when he has been most outspoken, he has not aroused lasting enmity because he is free from pettiness of spirit. Mr. Willison assures us that he was perfectly sincere in supporting the claims of Sir Richard Cartwright to the leadership of the Liberal party. Doubtless this statement is quite true. Laurier won his hold upon the confidence of the Liberals by his disinterestedness as well as by his gifts. Like Mr. Balfour he has created the conviction that there are things for which he cares more than he does for mere leadership. Though the existence of such a belief strengthens the hands of a prime minister most effectively at the moment when he takes office, it never ceases to be an important asset. But we must not narrow our view to the Liberal party. To Canada at large Sir Wilfrid Laurier is a premier who may be relied on to represent the country with distinction whenever he is brought into contact with the outer world.

At the same time no political leader can escape censure. In the present case it is urged by critics and candid friends that Sir Wilfrid Laurier displayed his natural talents to better advantage when he was in opposition than he has done since he became prime minister. As leader of the opposition he showed himself an eloquent idealist, attacking the corruption of the Conservatives and inveighing against the uselessness of an unreformed Senate. But there is reason to doubt whether the tone of Canadian public life has been materially improved during the period of his administration, and the Senate remains still unreformed, save by the appointment of Liberals when vacancies occur. In a word, it is urged by the censorious that Sir Wilfrid Laurier is an opportunist. However profusely this term may be applied, and however difficult it may be for a political leader to steer a clear course through the shallows of political exigency, Sir Wilfrid Laurier is still to large numbers of his countrymen an opportunist. His changes of front on the trade question and the hesitation that he displayed in the matter of the First Contingent have done quite as much to establish this belief as his neglect to take up the reform of the Senate. The common statement made by opponents is that the idealism of his speeches in opposition has been eclipsed by the materialism of his acts in office.

Mr. Willison's answer to such detraction merits the serious attention of all who are interested in Canadian politics. Himself a man of principle, he sees in Sir Wilfrid Laurier a spirit of kindred views and sympathies. "I have always proclaimed," says Laurier, "and again I repeat, that in politics I belong to the British Liberal school, to the school of Fox and Gladstone. In religion I belong to the school of Montalembert and Lacordaire, of the men who were the greatest perhaps of their age in loftiness of character and ability of thought." The social questions, which come to the surface so frequently in English politics, play a small part in the public life of Canada, and there is no close correspondence between the policy of Canadian Liberals and that of English Liberals as represented, for example, by the Newcastle programme. Yet a sentimental bond exists and, in the eyes of Mr. Willison, Sir Wilfrid Laurier is a true disciple of Fox and Gladstone. The reference to Montalembert and Lacordaire is equally important, for the Quebec *Rouge* who has stood up against ultramontanism is dear to Mr. Willison. If we had more space, we should gladly discuss in detail some of the points which are raised by this biography. As it is, we can only indicate the author's point of view. Mr. Willison is candid, well-informed, thoughtful, and he gives those of us who are Conservatives some nuts to crack. These two volumes are the best *Apologia* for the Liberal party in Canada which has yet appeared.

CHARLES W. COLBY.

Letters of Lord Acton to Mary Gladstone. Edited, with an introductory memoir, by HERBERT PAUL. (New York: The Macmillan Company; London: George Allen. 1904. Pp. 353.)

LORD ACTON's personal influence reached comparatively few persons during his life, but those few were the best, and through them he influenced indirectly many who were scarcely aware of his name. The publication of some of his essays and of these letters must serve to fix his public reputation. Fortunately, he will not be remembered merely as the most learned Englishman of his time, for enough of his writings will be printed to explain why, although he never achieved the *magnum opus* he had planned — "The History of Liberty" — he deserves to rank among the foremost historical scholars England has produced.

This volume of letters written by him between 1879 and 1886 to Miss Mary Gladstone, now Mrs. Drew, has three serious claims on the attention of students of history. In the first place, these letters throw light on much of the political situation in England during those years. Lord Acton was a Gladstonian almost to idolatry, and to Gladstone's daughter he wrote without reserve criticisms of men and measures, suggestions, and advice, which she submitted to the prime minister; and it is no secret that Gladstone esteemed Acton so highly that, had the latter desired, he might have held important political office. But his true function was that of a critic at once devoted and yet unprejudiced, who

had not only unrivaled stores of political knowledge but also an almost unmatched cosmopolitan experience and acquaintance to draw from. He knew the political and intellectual leaders of Paris and Rome, of Munich, Vienna, and Berlin, not less well than those of London; and so his criticism is free from that insularity which few Englishmen can escape from.

Next in importance to the historical student are the dicta scattered through the letters on the writing and study of history, on the merits and defects of historians, and on the final object of any writing of history whatsoever. Lord Acton's opinion of Macaulay, for instance, may well give pause to our Teutomaniacs, who would have us believe that patience, a pair of spectacles, a pitchfork, and longevity constitute all the equipment required by a historian. But Acton did not spare Macaulay's defects, nor S. R. Gardiner's (whom he found "not well informed in religious history"), and he could say nothing better of Carlyle than that "he had historic grasp — which is a rare quality — some sympathy with things that are not evident, and a vague, fluctuating notion of the work of impersonal forces." But more valuable than any individual opinions is the temper in which Lord Acton writes, the temper in which the greatest historians from Thucydides to Gibbon and Mommsen have always worked, and which does not confound lack of enthusiasm with impartiality.

Finally, many of Lord Acton's verdicts on historical personages or parties or causes will have to be taken into account by future writers and students. His remarkable analysis of Beaconsfield, his comparison of Gladstone with earlier British statesmen, his references to Burke, his remarks on democracy, his denunciation of ultramontanism and of the Jesuits, his impassioned defense of liberty, are among the treasures of these letters. No liberal, whether Protestant or agnostic, has ever written a stronger indictment against the papacy than is written by this unwavering Roman Catholic. "The principle of the Inquisition is murderous," he says, "and a man's opinion of the papacy is regulated and determined by his opinion about the religious assassination. . . . If he accepts the Primacy with confidence, admiration, unconditional obedience, he must have made terms with murder" (p. 299). Lord Acton's delight in theological study shows itself on every page — indeed, that interest was for him the corner-stone of history. His fairness toward believers of other creeds sprang not so much from a fine courtesy as from his unquenchable thirst for the truth. To a reader whose convictions cannot be expressed in stereotyped phrases there is something almost humorous in the picture which Lord Acton unconsciously reveals of himself and Gladstone and men like them lying awake in anxiety lest Canon Liddon or Lightfoot or Temple or some other Anglican dignitary might be undergoing a doubt as to the precise meaning of this or that word in one of the Thirty-nine Articles. Imagine the President of the United States solicitous lest the Bishop of Oklahoma should fall into heresy, or an eminent historian feeling justified in guaranteeing that though the said bishop used incense, he would not go over to Rome!

It is matters of this kind that stamp Lord Acton's mind as English, in spite of his mixed descent.

There are, besides these prominent traits in the book, many references to literature, including a long criticism of *John Inglesant* and repeated eulogies of George Eliot, for whose genius Lord Acton had almost boundless admiration. It is noticeable that this man, who had read almost everything in history, theology, and economics, seems never to have examined the great scientific discoveries of his generation, with their cosmic implications. Mr. Herbert Paul contributes a better biographical sketch than his recent shallow and slovenly work on *Matthew Arnold* might lead one to expect.

WILLIAM R. THAYER.

Of the seven papers published in the *Transactions of the Royal Historical Society*, New Series, Vol. XVII. (London, 1903, pp. xxxiv, 400), by far the most interesting and valuable, as far as the constituency of THE AMERICAN HISTORICAL REVIEW is concerned, is the presidential address of Dr. G. W. Prothero. Its theme is the proposed bibliography of English history; and it gives a definite form to a scheme which has been discussed since 1885, when Mr. H. R. Tedder, for thirty years librarian of the Athenæum Club, read before the Library Association a paper entitled "Proposals for a Bibliography of National History". Dr. Prothero shows that notwithstanding the work done by Mr. James Bass Mullinger and Dr. Charles Gross, England is still without a bibliography of British history at once adequate and general. Mr. Mullinger's *Introduction to the Study of English History*, admirable as it is, does not pretend to be complete; while Dr. Gross's *The Sources and Literature of English History from the Earliest Times to about 1485*, almost perfect so far as it goes, does not extend beyond the middle ages. The main lines of Dr. Prothero's plan are: the bibliography must include (1) manuscripts; (2) pamphlets, essays, magazine articles, speeches, lectures, and the transactions of societies; (3) biographies and autobiographies; (4) historical novels and plays; and (5) the books of foreign writers on British history, foreign lives of British statesmen, foreign books on British foreign policy, and on the British constitution and municipal government, whether they are translated or not. Dr. Gross has covered the ground down to the end of the middle ages with such fullness and accuracy that English historical scholars have only to rest and be thankful that the work is done and done so well. This fact, however, only makes it more incumbent on them to take up the work where Dr. Gross stops, and endeavor to produce a bibliography of subsequent British history worthy to stand alongside his work. Dr. Prothero accordingly proposes that the bibliography shall begin in 1485, and be carried to the end of the reign of Queen Victoria. England and Wales, Scotland, and Ireland are to be included; as are the American colonies, down to 1776; India from the first charter in 1600; Canada from 1763; South Africa from 1795; and Australasia and all the other colonies since the beginning of

British occupation. Dr. Prothero goes into detail as to the plan to be adopted in the grouping of subjects and the division of historical periods. He makes no estimate of the cost of the work, but he is confident that if a sufficient staff of competent scholars can unite for this purpose, they will readily find a publisher.

The other papers in the volume are: "The English Premonstratensians", by the Rt. Rev. F. A. Gasquet, D.D.; "The Intellectual Influence of English Monasticism between the Tenth and the Twelfth Centuries", by Miss R. Graham; "Royalist and Cromwellian Armies in Flanders", by C. H. Firth, LL.D.; "The Development of Industry and Commerce in Wales during the Middle Ages", by E. A. Lewis; "Italian Bankers and the English Crown", by R. J. Whitwell; and "Bondmen under the Tudors", by A. Savine. Unlike the American Historical Association, the Royal Historical Society has no annual session extending over several days. The papers were read at monthly meetings held in London. The roll of the society numbers 659 members. It has an income of 1500 l.; and since 1897 has had charge of the Camden publications.

EDWARD PORRITT.

Students of the religious history of England will welcome the collection of Bishop Creighton's *Historical Lectures and Addresses*, edited by Louise Creighton (London and New York, Longmans, Green, and Company, 1903, pp. viii, 346). The editor explains that certain of these lectures are here printed for the first time from reporter's notes. In one instance this is an error. The lecture on "The Church under Elizabeth" was published in pamphlet form soon after delivery. The pamphlet is obviously a closer verbatim report, fuller, more colloquial, more effective. The omission in the pamphlet of the reference to "the Times newspaper" (p. 161) would show that the earlier publication had been revised by Creighton himself and is the form to be preferred. The familiar anecdote of Elizabeth's rebuke to Bishop Cox is traced in the pamphlet lecture to *The Annual Register* of 1761, while the volume refers to *The Gentleman's Magazine*.

The collection is rich in instruction and in interesting reflections. The lectures on "Bishop Grosseteste and his Times" gives a valuable concrete picture of the operation of the ecclesiastical system in England, and those on "The Friars" rescue to attention the important work done for society by the Dominican order and emphasize the reciprocal influence of Dominicans and Franciscans, the one giving organization, the other spiritual impulse. Creighton's remarks on the value to the Franciscans of this organization and methodical training are a useful corrective of Sabatier's laments. Equally interesting is the account of Franciscan influence for political freedom and in the sphere of literature and art. In two Cambridge lectures Creighton endeavored to give a sympathetic study of the spirit and aims of the early Congregationalists and Baptists. Here his grasp was not so sure as elsewhere.

He imagined that Massachusetts was founded on the assertion of religious liberty, and that separation of the churches from connection with the state was a primary principle of Congregationalism. The most entertaining pages of the book are the Romanes lecture on "The English National Character".

FRANCIS A. CHRISTIE.

Special Method in History. By Charles A. McMurry, Ph.D. (New York, The Macmillan Company, 1903, pp. vii, 291.) In the discussion of programmes for the teaching of history the work of the secondary school has hitherto been chiefly considered, although on some accounts it is more important that such a subject be well taught in the elementary schools. For this reason Professor McMurry's book is particularly welcome. It outlines a complete programme for all the grades below the high school, explaining in detail how the material should be handled and how to correlate it with the facts of geography to be taught in the same grades. The directions for such a use of the story that the child's mind may be stimulated to intelligent activity are clear and suggestive. All the way through it is apparent that the advice is drawn from the results of a wide and thoughtful experience. Occasionally there is a note of combat, and the historians are given their share of hard words for a sort of professional fondness for a chronological treatment of historical facts even with younger pupils.

For the earlier grades Professor McMurry has drawn the greater part of his material from stories of pioneer life in America. The argument for a large use of such stories is obvious and conclusive, but it is not so clear why they should be given the preëminence which is assigned to them here. Their teachings, though simple and stimulating, are of limited range. Moreover it is possible to select stories equally simple and certainly as instructive from other phases of American history. There was much also in pioneer life which is not edifying. The treatment of the Indians, for example, forms one of the darkest pages in American history. Professor McMurry seems to feel (p. 40) that it is only the Spanish explorers that "serve as warning rather than as example".

It is a satisfaction to find that in this programme European history is not ignored, as is often the case in actual school programmes. Certain topics are chosen which seem adapted to the age of the pupil and which are also suggested either by the phase of American history proposed for the same grade or by the parallel course in geography. The treatment of the English Puritans follows rather than precedes the story of the Puritan colonists in America, but Professor McMurry thinks the pupil is more likely to understand the English type from the New England specimens than vice versa. If he would substitute the term "sympathize with" for "understand", it would be easier to consent. In his strictures upon the method of giving a chronological survey of European history he has in mind the traditional manual rather than an intelligent treatment of the subject adapted to the comprehension of school-children. Stories do not

lose their interest even if they are left in their chronological setting. This setting is also necessary, for it furnishes a framework into which after school-days are over may be placed the miscellaneous facts picked up in reading.

HENRY E. BOURNE.

Introduction to Classical Greek Literature. By William Cranston Lawton. (New York, Charles Scribner's Sons, 1903, pp. xii, 367.) As its title would indicate, the present manual aims merely to introduce the young student and the general reader to the subject of Greek classical literature. By means of selecting only the great names and the leading works, the author has succeeded in covering the extensive field from Homer to the death of Plato and Demosthenes in a reasonably adequate fashion. In the first three books the early epic, the lyric, and the Attic drama are successively treated; the fourth book is devoted to representative prose works of the classical period in history, oratory, and philosophy; and the fifth and last to what is called "the after-time". Professedly little more than a catalogue of names, the inclusion of this last section is of questionable value. The parts of the volume dealing with the poets are the fullest and best. The discussion is adapted to the requirements of even the uninitiated, and the illustrative transliterations, while not always above criticism on the score of taste or smoothness, should stimulate the interest. With regard to the prose writers, some will query whether full justice has been done to Isocrates and Xenophon, and whether Æschines has received adequate consideration. The Greek spelling, still unacceptable to the conservative, betrays occasional inconsistencies. The introductory bibliography and the bibliographical notes at the ends of chapters, helpful as far as they go, are altogether too meager. Useful chronological tables of comparative political and literary events preface three of the books.

A. L. CROSS.

Sources for Roman History, B. C. 133-70. Collected and arranged by A. H. J. Greenidge, M.A., and A. M. Clay. (Oxford, at the Clarendon Press; New York, Henry Frowde, 1903, pp. iv, 245.) The absence of a suitable source-book for the period from the elder Gracchus to the first consulship of Pompey has prompted the preparation of this volume. It will serve as an excellent guide for the teacher and advanced student for whom it has been prepared. The arrangement is chronological. Citations, in the original, are given from the Latin and Greek authors, and from the epigraphic sources. No attempt is made to discuss the value of authorities, nor to reconcile them with each other, though the arrangement of the selections by years instead of by topics has necessitated the addition, in an appendix, of a few pages of chronological notes. The statement in the introduction, that the authors have "tried to make the portion of our work which deals with internal history, as complete as possible", leaves one somewhat uncertain as to how far

the book may be relied on as representing a complete examination of the sources. It will in any case however serve admirably as a basis for a proseminary course in the history of the period.

JOSEPH H. DRAKE.

Les Régions de la France. I. La Gascogne, par L. Barrau-Dihigo, précédé d'une introduction générale : La Synthèse des études relatives aux régions de la France, par Henri Berr. (Paris, Léopold Cerf, 1903, pp. 80.) *La Revue de Synthèse Historique* has begun an admirable work in undertaking to prepare a bibliography of the local history of France according to the old historic provinces. The first one of these to appear is *La Gascogne*, by Barrau-Dihigo, a brochure of eighty pages, which, after a general discussion of the value and the necessity of such work, written by the editor of the *Revue*, organizes the historical material pertaining to Gascony under three heads: (1) sources; (2) general works; (3) special works. Then follows an estimate of the actually achieved historical results, in the form of two essays, one being a survey of Gascon history and the other being entitled "L'esprit gascon". The third portion of the work, in eight pages, calls attention to desiderata with reference to the history of Gascony. We are assured that the whole field of France has been carefully assigned, so that in the not distant future the local historian will have a valuable body of bibliographical material at hand.

J. W. T.

Abbot Francis Aidan Gasquet, head of the English Benedictines, has edited for the Royal Historical Society, in the Camden Society series, under the title of *Collectanea Anglo-Premonstratensia*, a volume of documents illustrating the history of that order in England, drawn from an original register of the order now at Oxford and from the copy of another in the British Museum. The Premonstratensian order, introduced into England in 1143, had twenty houses in the kingdom before the close of the twelfth century, but the documents of this collection, following the registers used, are nearly all from the last part of the fifteenth. A fraction is from the fourteenth, and these are mostly concerned with the relations of the English abbeys with the mother house at Prémontré, particularly in the matter of subsidies due to the latter. The other portions of the collection give much information in regard to the general management and government forms of an order like this, provincial chapters, elections, visitations, etc. A second volume is to follow, giving documents relating to the individual English houses. An interesting historical introduction opens the book, and this has also been printed, omitting some of the more technical portions, in the last volume (XVII.) of the *Transactions of the Royal Historical Society*.

G. B. A.

The Socialist author, E. Belfort Bax, has continued his popular work on *The Social Side of the Reformation in Germany* by a volume on the *Rise and Fall of the Anabaptists* (New York, The Macmillan Company;

London, Swan Sonnenschein and Co., 1903, pp. vi, 407). Owing to the dearth of English works on the subject, this interesting account is a valuable contribution, even if to the reader of German it adds nothing in substance of fact. The treatment given to the material has distinctive character and merits. The author's interest in economic questions makes him view the Anabaptist movement preëminently in its social-economic aspect, as "the culminating effort of mediæval Christian Communism". Attention dwells so largely on this aspect as to pass lightly over one point which to the ecclesiastical historian looms into more prominence as a defining element in the self-consciousness of the Anabaptists. This is the idea of the Anabaptist church as an association of the elect, the chosen people entitled, by divine promise, to sovereignty. This element is indeed given a passing notice in remarks on Biblical study as generative of the movement. In explaining the whole movement as a result of the new popular enthusiasm for the Bible and the pressure of political and economic interests, Bax probably hits the mark better than those who look for historic continuity with medieval sects. Mere historic continuity will not account for the movement, but neither, on the other hand, is Biblicism an explanation without a knowledge of the dominating beliefs and interests which made the Bible yield the conception of a theocratic community. The book is clear, dramatic, and apologetic.

FRANCIS A. CHRISTIE.

Pioneer Spaniards in North America. By William Henry Johnson. (Boston, Little, Brown, and Company, 1903, pp. xvi, 381.) Mr. Johnson is a writer of romantic fiction who has of late turned his attention to the romance of history; for such indeed may be called the stirring and wonderful incidents of adventure and conquest which he has selected for his particular field. His first work in this province was *The World's Discoverers*, in which he presented in a popular and attractive form the story of the search for the route to the Indies. Faithful to the spirit of his last-named work, that of "drawing the attention of young people to the literature of discovery, which abounds in examples of high courage, heroic endurance and unwavering faith", he has now given us his *Pioneer Spaniards in North America*, a sequel to his first work, taking up the story of Spanish enterprise and conquest in North America at the period immediately following that of its discovery.

Of the twelve chapters which compose the volume, a separate chapter is assigned to each of the following subjects: Ojeda, Americus Vesputius and Our Country's Name, Balboa, The Native Americans and Las Casas. The Conquest of Mexico by Hernando Cortés fills two chapters. Six chapters are devoted to the explorations and conquests within the limits of our own country of Ponce de Leon, Narváez, and Cabeza de Vaca, Coronado, de Soto, and Juan de Oñate. There is an appendix in two sections, consisting of an interesting epitome of the early history of the principal Mexican races, their social and religious life. Mr. Johnson has continued the instructive custom followed in his first work of illustrating

his history with maps and designs selected from a large number of accepted authorities, both ancient and modern. There is a list of books of reference and a good index.

The author has shown excellent judgment in devoting so large a share of his work to Spanish adventure within our own country, and in calling the attention of his young readers to the thrilling and little-known exploits of Coronado and Oñate among our Pueblo Indians with their semi-culture as ancient and as interesting in many respects as that of Mexico. He has accomplished his task of condensation by a wise selection of characteristic episodes in the career of each of his heroes. Mr. Johnson has no theory to expound, but only a story to tell, and he does it with simplicity and directness and with apt parallels most serviceable in assisting the comprehension of the subject in the minds of the class of readers to whom the work is more particularly addressed.

The author has drawn his material largely from translations and secondary sources, the majority of which can be recommended for their scholarship and reliability, but it is to be regretted that he has based the de Soto narrative so largely upon Theodore Irving's version of Garcilasso de la Vega's exaggerated account rather than upon the far more reliable and self-contained Biedma and Elvas relations. There may also be some room for a difference of opinion as to the attitude assumed by the early missionaries toward the native deities which they dethroned (p. 321).

It would be invidious to criticize from the standpoint of a more extended history a series of sketches like these, addressed chiefly to young people, and necessarily greatly condensed. The book can be sincerely recommended as an intelligent and interesting introduction to the further study of the history of the Spaniards upon the northern half of our continent.

WOODBURY LOWERY.

The Dutch Founding of New York. By Thomas A. Janvier. (New York and London, Harper and Brothers, 1903, pp. iv, 218.) Delightful reading as magazine articles, the papers of Mr. Thomas Janvier, gathered together into a volume, are disappointing. This is not a history of the Dutch people in New Netherland (which contained a good deal of land outside of New York), nor have we even a summary of events in chronological order. What is presented is an amusing series of discussions of questions which interested the author, enlivened by references to contemporary politics and persons. There is almost a complete absence of treatment of serious questions, such as the right of title to the land, and the real feelings, opinions, and movements of those Dutch people who have left their mark indelibly upon one of the great American commonwealths. The author's references to the passing world of things recent to us will soon have lost their point and be forgotten. What we should like to have is some account of the life of the people, and especially of those beyond Manhattan Island, who were much greater than the commercial agents and rulers that were little better than figure-

heads. Indeed this work treats almost wholly of the Dutch West India Company and its agents, and scarcely refers to those interior forces which kept the New Netherlanders in a constant state of righteous discontent with the company and its incompetent agents. One of the greatest of the makers of New Netherland, Arendt van Curler, is not mentioned, and little beyond Manhattan Island comes under the author's ken. It is wholly a story of things looked at without from the point of view of a reader of Brodhead and Asher who has also some slight acquaintance with documents already well known. In short the author deals chiefly with what had next to nothing to do with the enduring part of the beginnings of New York. The American section of the company's business was but a remote nook, its papers occupying in its offices at Amsterdam but a small pigeonhole, while the real founding of the city and state called New York was done by bold freemen with ideas and intelligence, who believed strenuously in schools and churches and in self-government, even though so many American historians seem to be long in finding this out. In reaction against Washington Irving's subtle mendacity, roaring fun, and ridiculous caricatures, the author shows clearly enough that the Hollanders were neither sleepy, nor over-fat, nor debauched with tobacco smoke or with what people who do not know the difference between German and Dutch call "schnapps"; yet in reality he has been too much inoculated with Irving not to reveal more or less imitation of his style, which is in large part semi-humorous. He thinks that the fall of the company and the conquest by the English were beneficial to all concerned. The occasional use of slang detracts also from the seriousness of the theme. The illustrations and reproductions of early maps and documents, as well as the handsome printing and general outfit of the book, make it an attractive volume for the library.

Louis A. Barbe's pleasantly written *Viscount Dundee* [Famous Scots Series] (New York, Charles Scribner's Sons; Edinburgh, Oliphant, Anderson, and Ferrier, 1903, pp. 159) is based upon a careful examination of both the contemporary and modern literature of the subject. The plan of the series precludes the use of such paraphernalia of erudition as notes, or even a bibliography, but the author has managed to smuggle much information of this sort into the body of his text. The very frequent quotations from the sources add local color to the tale, while controverted points are discussed with as much fullness as the interest of the average reader will permit. While the book contains little that is new, it is accurate and unpartizan, and uses the results of recent research. It is evidently intended for popular use, and will serve the purpose admirably.

G. J.

The Despatches of William Perwich, English Agent in Paris, 1669-1677, preserved in the Foreign State Papers of the Public Record Office, London. Edited for the Royal Historical Society by M. Beryl Curran. (London, Royal Historical Society, 1903, pp. xix, 358.) The letters here

edited, covering the years 1669-1677, are of little value for English affairs, dealing almost entirely with the state of France. They contain, however, some information worth having about trade relations between the two countries; but the most valuable part of the correspondence is that which deals with French and Dutch affairs during the period 1671 to 1676, and much of this is of little use to-day. Perwich was not a first-class news-letter writer. He evidently depended largely on current gossip for his information, and he includes absolutely everything that he hears from the man on the street. Gossip, scandal, assaults, executions, murders, the most insignificant details about the most unimportant events—all is fish for his net. And much of this information is as wildly improbable and sometimes as evidently impossible as it is trivial. Moreover, Perwich seems to have been expected to furnish news from Germany, Italy, Poland, Spain, Turkey, Holland, Portugal, and the north coast of Africa as well as from France. Consequently all sorts of information from all parts of habitable Europe and Africa find place in his despatches.

The task of editing the letters, therefore, is a difficult one, and Miss Curran hardly shows herself equal to it. She has omitted many letters for lack of space, whereas it would have been much more advisable to omit the insignificant chatter of most of the letters, and thus to find space to include everything of any importance. Further, Miss Curran remarks that "where the original is in cipher, only the deciphered portions have been printed, in accordance with a long-established usage." It is to be hoped that she is mistaken about the usage. Certainly an editor is not justified in making no effort to decipher passages, as apparently she has made none.

The editor's foot-notes are also of slender value. They are too general where they are of use, but most frequently they offend by a parade of information which is easily accessible to any student. It is unnecessary to inform the reader that Charles II. was king of England in 1669; that Madame de Montespan and Mademoiselle de la Vallière were mistresses of Louis XIV.; that the ruler of Brandenburg at that period was Frederick William, or to explain who Marshal Turenne was. It is equally unnecessary to remark that Chambor is written for Chambord or Tanger for Tangiers, or that Voltaire declares that an alliance with the Turk was the policy of the French monarchs from the reign of Francis I.

R. C. H. C.

The first instalment of a compilation made by Mr. Joseph Jencks Smith, entitled *Civil and Military List of Rhode Island*, appeared in 1900 and in due time was noticed in this REVIEW. The instalment referred to embraced all officers chosen by the Rhode Island general assembly between the years 1647 and 1800. A second instalment is now at hand. It embraces all officers elected by the general assembly between 1800 and 1850, and, besides, all the officers from Rhode

Island in the Revolutionary War appointed by the Continental Congress, all Rhode Island officers in the regular army and navy to 1850, and all such officers in privateer service during the colonial wars, the Revolutionary War, and the War of 1812.

An extended comparison of Mr. Smith's book with the original records would be needed as a basis for any statement as to its trustworthiness. If trustworthy (as it may be presumed to be), its value should be considerable. A criticism made upon the earlier volume may be repeated with regard to this. The index lumps together all the Smiths, all the Harrises, all the Hazards, etc., so that upon the investigator concerned with any particular Smith, Harris, or Hazard there is devolved much labor that should be unnecessary. Besides the main index, there is one to chartered military companies and one to vessels mentioned in the work.

I. B. R.

The Foundations of Modern Europe. Twelve lectures delivered in the University of London by Emil Reich (Doctor Juris). (London, George Bell and Sons, 1904, pp. 262.) This is an attempt to "give a short sketch of the main facts and tendencies of European history from the year 1756". It is not, however, as might be feared, a dull mass of detail. The lectures summarize and interpret. It is the sort of writing about history that must be done if the public are ever going to be allured to read it as they used to read it. The ideas of the author are always interesting, though frequently because they suggest dissent rather than approval. A certain amount of exaggeration of statement is perhaps unavoidable when a historical lecturer is trying, and trying successfully, to be at once very condensed and very interesting. But Dr. Reich is a little "cock-sure" about a large number of things. As, for example, when he tells us that "the well-known works of Taine, Tocqueville, Sybel, Buckle, Sorel and others on the French Revolution . . . have not in reality advanced our insight into the causes of the French Revolution" — and then proceeds to do so himself in ten pages.

The statements he assumes as the basis of reasoning will not always bear examination. When he gives great weight to the "academic interference of the French Encyclopædists with the English colonies", it appears that he is unacquainted with the latest work of specialists. The ideas of the Declaration of Independence are not derived from the French encyclopedists, but from the place whence they also drew, the works of Locke. But his book is often brilliant and always interesting.

One great advantage is his international standpoint. He succeeds in escaping from a tendency to overlook European history as an Englishman, a Frenchman, or a German. He has not, however, escaped the modern disease of imperialism and sneers rather unworthily at "peace, non-intervention and all similar ideal dreams of rich bankers or multimillionaires". He ought to have been saved from this by the just emphasis which the epilogue shows he lays upon the idea of nationalism.

In discussing it he makes plain that he does not know America as well as he does Europe, else he never would have said, "All over the United States . . . there is one description of mind, of manners, customs, views" — which is precisely what there is not in the United States.

The style is interesting, but the writer overworks adjectives like vast, immense, and great. They come in layers. In one chapter of twenty pages, "great" does not occur on seven pages but appears thirty-five times in the remaining thirteen pages. This is natural and pardonable in speaking, but when the book reaches its second edition, which the reviewer trusts will be soon, Dr. Reich will add to its interest if in some places he studies either paucity or variety of adjectives.

PAUL VAN DYKE.

Three Frenchmen in Bengal, or the Commercial Ruin of the French Settlements in 1757. By S. C. Hill, B.A., B.Sc., Officer in charge of the Records of the Government of India. (London, Longmans, Green, and Company, 1903, pp. xi, 182.) European settlements in India prior to the nineteenth century faced a double danger — the hostility of native rulers and the rivalry of other European establishments. At the same time they were both military posts and commercial agencies, compelled to maintain the largest degree of political independence consistent under the existing circumstances with continued economic prosperity. Furthermore the exigencies of European politics might at any time seriously alter prevailing conditions in India. These factories therefore endured a hazardous existence. In Mr. Hill's book is the record of the successive ruin by the English of three French establishments in Bengal — Chandernagore, Cossimbazar, and Dacca. All this was in the year of the massacre at Fort William Henry and of the Prussian victory at Rossbach. A personal interest is supplied by the fact that the story of French defeat in Bengal is told largely in the language of three French civilians in authority at the respective settlements. Mr. Hill's researches have been chiefly in the British Museum, where he found the memoir of M. Law, chief at Cossimbazar; and in French archives, where he found letters from M. Renault of Chandernagore and M. Courtin of Dacca. The Orme manuscripts, the Madras and Bengal records at the India Office, and the Clive papers at Walcot were also examined and are liberally quoted. Four maps and plans adapted from those by Rennel and one by Mouchet are given. There is considerable repetition, due to the fact that each of the three Frenchmen tells his own story as a whole; on several occasions fuller explanations of existing conditions in India would have been welcome; and some of the references are blind, being only of a general nature. But aside from these three points, the book is an admirable addition to the history of European politics in Asia; and certain matters of permanent and general interest are well illustrated by this story of the gallant but vain defense offered by the French. In the first place, the complicating factor presented by the uncertain attitude of the natives to the rival foreigners, the constant danger that the nawab

might make common cause with the French, and the chaotic condition of native politics are clearly brought out. Secondly, the paralysis from which French authority in India suffered was due both to the neglect of the home government and to the short-sighted policy adopted by many of the military officers in India. Thirdly, the great factors in British success were the hearty coöperation, rarely interrupted, between civil and military authorities, the early recognition that ultimate victory in India must be won in Bengal, and the prompt appreciation of the immense importance of sea-power as a condition to security in India. Mr. Hill's work casts welcome light on all these matters.

ALFRED L. P. DENNIS.

The History of the State of Indiana, from the Earliest Explorations by the French to the Present Time, containing an Account of the principal Civil, Political, and Military Events from 1763 to 1903. By William Henry Smith. (Indianapolis, Western Publishing Company, two vols., pp. xii, 511; viii, 522.) These two large volumes, with a comprehensive subtitle, might properly be called a newspaper correspondent's sketches and impressions of Indiana. They are apparently made up from some source extracts, from newspaper clippings, general reading, personal interviews, and recollections. The work contains chapters or sketches on the mound-builders, Indians, schools and colleges, parties, laws and courts, banks, benevolent institutions, prisons and reformatories, civil government, agriculture, literature and art, and other topics deemed important enough to be included in a full and complete "write up" of the state. The volumes may, perhaps, be said to have some historical use and interest without much historical merit. They are written without any sense of historical method and, apparently, without much acquaintance with the general historical literature that might have been brought to bear upon the subject. Extracts are given on many topics from old sources, but these sources are usually not named nor in any way verified, and the impression is given that the work is chiefly made up from scrap-book materials and other information that the author remembers sometime to have read or heard. No sources are cited, no references given, no due sense of proportion exhibited. One feels that he is reading only miscellaneous, scrappy material for which he has nothing but the author's word. The volumes are poorly printed on poor paper with very crude illustrations.

The appendix contains a copy of the state constitution, a useful list of the state governors, of the United States Senators from Indiana, and of the state delegations in the lower House, and of Indiana military leaders, together with the popular vote of the state in presidential elections from 1816 to 1900. With all its defects, the work has a good deal of valuable information in it (plausible if not proved), fairly well indexed, which should make it of interest to Indiana readers.

Deux Mois à Paris et à Lyon sous le Consulat. Journal de Mme. de Cazenove d'Arleus (Février-Avril, 1803). Publié pour la Société

d'Histoire Contemporaine par A. de Cazenove. (Paris, Alphonse Picard et Fils, 1903, pp. xxxvi, 176.) Mme. d'Arlens, by birth, was a leading family of Lausanne. As usual at the time with gentlemen of rank in the canton of Vaud, her father, Baron Constant-Rebecque, with her brother and son, all followed the profession of arms in the service of foreign powers, chiefly France. She married, in 1785, Antoine de Cazenove d'Arlens, an officer of Dutch origin who retired from the French service, a lieutenant-colonel of hussars, in 1792. In the following years Mme. d'Arlens entertained freely at Montchoisy near Lausanne the émigrés of rank then leaving France. At the same time she established, partly through her cousin Benjamin Constant, a friendship, strengthened by common tastes, with Mme. de Staël. Mme. d'Arlens, before her death in 1825, issued with some success seven of the voluminous romances then in vogue. The present work, a manuscript in the editor's possession, records in pleasing style a visit to Paris and Lyons. The diarist's capacity for observation was fair, and her opportunity good. The returned émigrés, whom she had befriended at Montchoisy, welcomed her into the old aristocracy; and through a brother-in-law, Théophile de Cazenove, who had been Talleyrand's host in America and became in 1799 his assistant at the Foreign Office, she was brought well within the outskirts of the official circle. What she saw and heard she tells freely. Politically of comparative unimportance, the narrative, reinforced by the editor's introduction and notes, gives an intelligible picture of polite society in Paris when costumes of ladies of fashion, jewels and shoes included, weighed but two or three pounds.

H. M. BOWMAN.

The effort to organize effectively researches in modern history is being earnestly forwarded in France. The most recent indication is the formation of a Société pour l'Histoire de la Révolution de 1848. Upon its directing committee are, among others, Professors Aulard and Levasseur, M. Anatole France, and the Socialist deputy Jaurès. Another indication is the appearance of such a book as *Le Département du Nord sous la Deuxième République* (Lille, G. Leleu, 1904, pp. 448) by A.-M. Gossez. Its subject is the economic and political condition of the department from 1846 until the establishment of the empire. Unlike most French historical works, it is a plain statement of facts without charms of style or artistic setting. This lack is more than compensated by the interest of the facts themselves, which are drawn from a mass of evidence taken from the archives in Paris and in the department, from official reports, from contemporary newspapers, and from works called out by the controversies of the time. Should equally satisfactory books be written on the more typical of the other departments, they would renew the study of the revolution. Possibly the most suggestive part of the work is the analysis of results of the investigation ordered by the National Assembly, May 25, 1848, into the industrial and agricultural condition of the departments. The truly pitiable situation of the French

workman at the time is astonishing. With long hours of labor and small wages, one is not surprised at occasional riots or at the vogue of socialistic dreams. M. Gossez notes one curious custom growing out of the transformation of the domestic system into the factory system, namely, the retention by employers of a part of the wages of the employes as a fund to pay for the wear and tear of machines. The reason alleged by the employers was that under the former system the workmen had to purchase their own machines, whereas these were furnished by the factory. M. Gossez finds that the "moderate" republicans showed little interest in the results of the investigation, which were soon lost sight of in the controversies between the various factions. He believes that this was the real reason why the republic collapsed, for "La forme du gouvernement importe moins au peuple que ses intérêts économiques, que la possibilité de vivre sous le gouvernement établi." Napoleon was wiser than the republicans; he based certain of his reforms upon the teachings of the investigation and so appropriated all the credit of the undertaking.

H. E. BOURNE.

There is an air of modesty about the title *Gossip from Paris during the Second Empire*. (New York, Appleton, 1903, pp. vi, 354.) The book is made up of selections by A. R. Waller from the correspondence of Anthony B. North Peat during the years 1864-1869. Mr. Peat was attached to the French Ministry of Interior and had access to the daily batch of telegrams from all parts of the country. The letters were addressed principally to the *Morning Star*, a London daily, and the author's discretion was such that his superiors sanctioned the enterprise. His unusual sources of information give even to gossip some historical value. Much of the volume is filled with comments upon men, women, and things—gossip, but gossip of a sort which adds color and tone to one's picture of life under the Empire. There is also not a little that is directly helpful to the student of the period. One becomes acquainted with the social relationships of prominent politicians, with the every-day feeling of Paris toward them, and in this way discovers some of the hidden springs of action. Occasionally the sayings of a public man reveal as clearly as would a didactic chapter an interesting attitude toward a contemporary question. Lamartine, for example, at the time of the Mexican expedition, talked about preaching a crusade of Europe against America as the "Saracens of modern times". He was particularly irritated by the leveling tendencies of the American system. Altogether the elections are made with excellent judgment.

H. E. B.

At the present juncture, with a general election pending, and with liquor licensing, next to protection and the Education Acts, the most prominent question in English domestic politics, Mr. and Mrs. Sidney Webb's *The History of Liquor Licensing in England Principally from 1700 to 1830* (London and New York, Longmans, 1903, pp. ix, 162) is

peculiarly timely. It is more than a compilation of the laws; for Mr. and Mrs. Webb deal with the forces in social life which gradually brought about the enactment of the existing complicated code, and also with the manner and spirit in which the liquor laws have been administered. For this part of the work there has been much original research in the records of the licensing magistrates in brewster sessions and also in the records of quarter-sessions, to which appeals from decisions in brewster sessions are made. Mr. and Mrs. Webb show that the local magistrates have been entrusted with both supervisory and judicial powers since the reign of Edward VI.; and further they elucidate one fact not hitherto generally known to students of local government in England. This is that in the days of the Tudors and the Stuarts the Privy Council exercised power over local government, certainly over licensing and the policing of the liquor trade, not unlike those which since the early years of the nineteenth century have been exercised by the Home Office and the Local Government Board. This history of licensing is part of a larger work on the history of local government which Mr. and Mrs. Webb are about to publish through Messrs. Longmans. The wide-spread interest just now taken in the licensing question led to the publication of these early chapters, which not only have a present usefulness, but which from the thoroughness with which they have been done and the lucidity which marks the treatment of the subject, create a feeling of pleasing expectancy in regard to the forthcoming work on English local government.

E. P.

Another serviceable book on the same subject as the above, written however from the point of view of the trade, is the *Brewers' Almanac* (the Review Press, London) edited by Mr. W. E. Montgomery, M.A., LL.D. and Mr. P. C. Morgan. This book is valuable at this juncture because, while Mr. and Mrs. Webb's treatise ends at 1830, it traces the attitude of Parliament toward the trade since 1869, and in particular sums up the causes leading to the present agitation, an agitation entirely due to the increased use by the magistrates of their supervisory and judicial powers. This activity dates from 1892, when the case of *Sharp versus Wakefield* was decided in the House of Lords adversely to the liquor trade. Since then magistrates in brewster sessions have been continuously reducing the number of licensed houses. Over six hundred renewals of licenses were refused in 1903, a proceeding so disturbing to the trade that it appealed to the premier for statutory protection from the magistrates, and in consequence the government introduced the bill about which the present agitation centers. The financial relation of the government with the trade from the reign of Charles II. is also worked out in elaborate statistical tables by Messrs. Montgomery and Morgan. From a student's point of view these are most valuable, as they bring out in detail the changes in the economic basis of the trade since about 1870, when the old brewing undertakings were converted into vast limited liability companies controlling large capital and wielding an increasing power in

Parliament and in the electorate. In these two volumes are to be found the basal facts of the present agitation — an agitation which is likely to be a most important factor in the approaching general election.

E. P.

Biblioteca Filipina. By T. H. Pardo de Tavera, of Manila. (Washington, Government Printing Office, 1903, pp. 439.) This is Part II. of Senate Document No. 74 (Fifty-seventh Congress, second session), Part I. being a classified list of the books and articles in periodicals on the Philippine Islands, as well as maps of them, in the Library of Congress, both having now been published in separate volumes by the Library. The first part was noticed in the last number of the REVIEW. Taken together, these two works constitute by far the most satisfactory and complete bibliography of the Philippines that has ever been issued. Indeed, the scattered bibliographical works of the prejudiced Retana, and the more systematic work of Medina, the Chilean, which catalogued 667 numbers, sink into comparative insignificance beside these lists. Doctor Tavera, who began his study of Philippine and Oriental languages in Paris and has ever since been an ardent collector of Philippina, catalogues 2,850 numbers, perhaps half of which are in his Manila library, and his list somewhere nearly approaches a systematic classification of printed works on the Philippines. For reference the student will find the list of Mr. Griffin of the Library of Congress more convenient, because of its subject classification and its employment of the methods of the up-to-date bibliographer. Supplementing this, the work of Doctor Tavera will need to be consulted at every turn, aside from the fact that it contains much material not listed in the Library of Congress bibliography. The comments of Doctor Tavera are not always strictly bibliographical, and sometimes not free from hints of the political controversies in which he has been engaged, particularly for six years past; but they are always of interest, and not infrequently their shafts of sarcasm shed light bibliographical as well as political.

JAMES A. LE ROY.

NOTES AND NEWS

The death of Frederick York Powell, Regius Professor of Modern History at Oxford, which occurred on May 8, removes one of the leaders among historical scholars in England. His leadership was not indeed as a writer of history, the little he produced in that character consisting chiefly of the booklet on *Early England* in Creighton's "Epochs of English History", and a similar volume on England to 1509. He was distinguished rather for remarkably wide and accurate learning, for work of an editorial and critical order, and for his generous assistance of others. Especially interested in Scandinavian history and literature, he produced, in collaboration with Vigfusson, the *Grimm Centenary Papers*, and *An Icelandic Prose Reader*; edited, also with Vigfusson, *Corpus Poeticum Boreale* and *Islandica Antiqua*; wrote an introduction to Elton's *Saxo Grammaticus*; and translated, and wrote an introduction to *The Tale of Thrand of Gate*. He also edited the series of "English History from Contemporary Writers", and contributed many reviews and articles on historical and literary subjects to various periodicals. However, since his death as during his life, those who knew him have commonly dwelt especially upon the extent to which he directed and encouraged younger men, and it seems not unlikely that he gave away, of suggestions and plans and ideas, quite as much as he ever used himself.

Thomas Graves Law, Librarian of the Signet Library, Edinburgh, and long identified with work in the field of religious history, died March 12 last, at the age of sixty-eight. To him is due among many other publications, "Douay Diaries", forming the first volume of *Records of English Catholics under the Penal Laws*; and *The Archpriest Controversy* (Camden Society). Steps are being taken in Edinburgh toward publishing, in his memory, a volume which shall bring together his more scattered writings.

Bishop Edmund Hobhouse, whose death at an advanced age occurred recently, rendered valuable service, especially in the field of church history. His best work related to parochial life in England in the later middle ages: *Churchwardens' Accounts of Croscombe, Pilton, Yatton, Tintinhull, Morebath, and St. Michael's, Bath, 1349-1560* (1890). Shortly before (1887) he produced the *Calendar of the Register of John de Drokenesford, Bishop of Bath and Wells, 1309-1329*.

Luigi Chiala, editor of the letters of Cavour, and editor or author of many other publications connected with the Italian Risorgimento, died at Rome, April 27.

History has lately lost by death the service of two distinguished Belgian scholars, both connected with the University of Louvain: E. H. J. Reusens, who worked principally in the field of Christian archeology;

and P. P. M. Alberdingk Thym, who while professor of Netherlandic and Germanic literatures, devoted himself especially to medieval history, producing among other important works a book on charitable institutions in Belgium from the time of Charlemagne to the sixteenth century. Bibliographies of the writings of these scholars are given in the *Archives Belges*, Vol. VI., respectively at pages 16 and 56.

Professor Alfred L. P. Dennis, of Bowdoin College, has accepted an election as associate professor of modern history in the University of Chicago.

Professor Friedrich Keutgen, of the University of Jena, will be at Johns Hopkins University in the capacity of a resident lecturer from October to June and will give graduate instruction in the early constitutional history of Germany, France, Italy, and England. He will also lecture on paleography and diplomatics with practical exercises in literary research. Professor Keutgen is now *ausserordentlicher* professor in Jena.

Doctor Lilian Wyckoff Johnson, formerly of the University of Tennessee has been inaugurated as president of the Western College for Women at Oxford, Ohio.

Under the authorization of the action taken at the New Orleans meeting, the Pacific Coast Branch of the American Historical Association was formally inaugurated at a meeting that was held at the Mechanics Institute, San Francisco, on Saturday, April 9. The following officers were elected to serve until the first annual meeting, which it is expected will be held in November: President, Horace Davis, of San Francisco; Vice-President, John T. Doyle, of Menlo Park; Secretary-Treasurer, Professor Max Farrand, Stanford University; Executive Committee, George Beanston, San Francisco, Professor C. A. Duniway, Stanford University, Rockwell D. Hunt, San Jose, Professor H. Morse Stephens, University of California.

The first article in the April number of *The Iowa Journal of History and Politics* is by Paul S. Reinsch on the foundation and the purposes of the American Political Science Association.

A historical congress is to meet at St. Louis in the third week in September. A number of noted scholars will be present and an attractive programme has been prepared. On the general subject of historical science Woodrow Wilson will be the chief speaker. The programme is as follows: Political and economic history. — chairman, Andrew D. White; speakers, William M. Sloane, James H. Robinson. Section *a*, History of Asia. — chairman, William W. Rockhill; speakers, Henri Cordier, Arminius Vambery. Section *b*, History of Greece and Rome. — chairman, T. D. Seymour; speakers, J. B. Mahaffy, Ettore Pais. Section *c*, Medieval History. — chairman, Charles H. Haskins; speakers, Karl Lamprecht, George B. Adams. Section *d*, Modern History of Europe. — chairman, J. B. Perkins; speakers, A. N. Rambaud, J. B. Bury.

Section *e*, History of America. — chairman, James Schouler; speakers, F. J. Turner, Albert Bushnell Hart. Section *f*, History of Economic Institutions. — chairman, William W. Farnum; speakers, Simon N. Patten, T. Conrad. Of Department 4, dealing with the History of Law, the chairman is David J. Brewer and the speakers Emlin McClain and Nathan Abbott. Section *a*, History of Roman Law. — chairman, William W. Howe; speakers, Professor Zittelmann, Munroe Smith. Section *b*, History of Common Law. — chairman, John D. Lawson; speakers, Simeon E. Baldwin, John H. Wigmore.

What should be the fundamental features of a synthetic work on the history of the sciences is discussed by P. Tannery in the opening article of the *Revue de Synthèse Historique* for February: "De l'Histoire générale des Sciences". In this number are also several continuations, among them G. Dottin's general review of contributions to the history of Celtic literature: "La Littérature Gaëlique de l'Ecosse.—La Littérature Cornique.—La Littérature Bretonne Armoricaire". The April number contains the first part of a discussion of "Le Problème des Idées dans la Synthèse historique, à propos d'Ouvrages récents", by the editor, Henri Berr; the sixth part of "L'Appropriation privée du Sol, Essai de Synthèse", by Paul Lacombe; "Nos Enquêtes.—Questionnaire sur l'Enseignement supérieur de l'Histoire", by Barrau-Dihigo.

A highly important work on the history of the family, which will be of interest as well to the sociologist and the legal and social reformer as to the historian, has just been published by the University of Chicago Press: *A History of Matrimonial Institutions, chiefly in England and the United States*, in three volumes, by Professor George Elliott Howard. This work is the fruit of many years' labor. The main body of it is divided into three parts, of which the first gives an analysis, extending through some two hundred and fifty pages, of the literature and the theories of matrimonial institutions; the second, in nearly three hundred and fifty pages, treats of matrimonial institutions; and the third, in some six hundred and fifty pages, treats of these institutions in the United States. In addition to all this and to a case index and a subject index, there is an exhaustive bibliographical index, extending over nearly one hundred and fifty pages and containing in itself the result of years of painstaking work.

M. Émile Levasseur, and a number of other scholars and of men of affairs, have lately founded at Brussels a new economic periodical, which will often have matter of interest to historical students: *Revue Économique Internationale*, to be published monthly, at fifty-six francs for subscribers outside of Belgium and France (Brussels, 4 Rue du Parlement). The opening article of the first number (March) is by M. Levasseur, entitled "Coup d'Œil sur l'Évolution des Doctrines et des Intérêts Économiques en France".

Noteworthy articles in periodicals: H. J. MacKinder, *The Geographical Pivot of History* (Geographical Journal, April); K. Breysig,

Einzigkeit und Wiederholung geschichtlicher Thatsachen (Jahrbuch für Gesetzgebung, Verwaltung und Volkswirtschaft im deutschen Reich, XXVIII., 1); Max Hennig, *Ueber Ideen in der Geschichte* (Neue Jahrbücher für das klassische Altertum, etc., April); James W. Thompson, *Some Famous Historical Collections in Paris* (Literary Collector, March).

ANCIENT HISTORY.

Professor Rufus B. Richardson's *Vacation Days in Greece* (New York, Charles Scribner's Sons, 1903, pp. xiii, 240) is made up of a series of articles contributed by the former director of the American School of Archaeology at Athens during his eleven years' residence in Greece. Omitting the much traveled and described centers such as Athens, Corinth, and the Argive plain, Professor Richardson tells of the out-of-the-way places he has visited during his holiday wanderings, not only in Greece proper, but in Sicily and Dalmatia as well. Many bits of history, archeology, topography, and personal impression are unconventionally woven together in this fragmentary but charming account.

Noteworthy articles in periodicals: A. J. Delattre, *Les Pseudo-Hébreux et les Lettres de Tell-el-Amarna* (Revue des Questions Historiques, April); L. Bréhier, *La Royauté Homérique et les Origines de l'État en Grèce*, concluded (Revue Historique, May); V. Gardthausen, *Kaiser Augustus* (Neue Jahrbücher für das klassische Altertum, etc., April).

MEDIEVAL HISTORY.

The theology of Augustine occupies a large place in the April number of the *Revue d'Histoire Ecclésiastique*, two considerable articles being given to it: "La Doctrine Christologique et Sotériologique de Saint Augustin et ses Rapports avec le Néo-platonisme", by C. Van Crombrugghe; and "La Question de la Prédestination aux V^e et VI^e Siècles. Saint Augustin", by M. Jacquin.

The Dark Ages, by W. P. Ker, was recently issued in the series of "Periods of European Literature", edited by Professor Saintsbury. By "dark ages" is meant here the centuries of the barbarian migrations (New York, Scribner).

Some fifty pages of the current number (II., 2) of the *Archiv für Kulturgeschichte* are devoted to the first instalment of a study upon the financial relations between the merchants of the Hansa and the English kings of the thirteenth and fourteenth centuries: "Geldgeschäfte hantischer Kaufleute mit englischen Königen im 13. und 14. Jahrhundert", by G. Grosch.

Noteworthy articles in periodicals: Léon le Grand, *Les Pèlerinages en Terre Sainte au Moyen Age* (Revue des Questions Historiques, April); Marcus N. Adler, *The Itinerary of Benjamin of Tudela*, improved text and translation (Jewish Quarterly Review, April).

MODERN HISTORY.

Messrs. Longmans, Green, and Company have just published *Lectures on European History*, by Bishop Stubbs, edited by Arthur Hassall. They are nearly all grouped under three heads: "The Emperor Charles V."; "The Political History of Europe from the Resignation of Charles V."; and "The Political History of Europe during the Thirty Years' War".

Two more volumes (the second and third) of R. Waddington's diplomatic and military history of the Seven Years' War have appeared: *La Guerre de Sept Ans* (Paris, Firmin-Didot). Their respective subjects are "Crefeld et Zorndorff" and "Minden-Kunersdorf-Québec".

Don Philip, Infanta of Spain and Duke of Parma, has lately been treated in a volume based on unpublished documents: *Le Gendre de Louis XV*, by Casimir Stryienski (Paris, Calmann-Lévy).

The chapters in Lecky's *History of England during the Eighteenth Century* which deal with the French Revolution have been separately published with an introduction and notes by Professor Henry E. Bourne (New York, Appleton, 1904). The notes appear at the end of the volume, as in the similar edition of the chapters on the American Revolution, and are of such a character as to be distinctly helpful to the reader. Naturally use has been made by the editor of important works which have appeared since Mr. Lecky wrote, especially the writings of Sorel and Aulard.

An exhaustive work on the military side of Napoleon's career, by Colonel Theodore A. Dodge, is in course of publication, two of its four volumes being already out: *Napoleon* (Boston, Houghton, Mifflin and Company.) It forms part of the author's *History, Origin and Growth of the Art of War*. There are many charts, maps, and other illustrations.

The new books relating to recent times include *The History of Twenty-Five Years* (2 vols.), by Sir Spencer Walpole. It covers the period from 1856 to 1880, and in a sense is a continuation of the author's *History of England from the Conclusion of the Great War of 1815 to 1858*. The field of treatment however has been so extended as to include other nations besides England, and accordingly it has been issued as a separate work (Longmans, Green, and Company).

We have received *A Hand-Book of Modern Japan* by Ernest W. Clement (A. C. McClurg and Company), which "endeavors to portray Japan in all its features as a modern world power". There are chapters on "Physiography", "History", "Constitutional Imperialism", "Local Self-Government", "Language and Literature", "Education", "Industrial Japan", "Manners and Customs", and religion. The book is well illustrated, contains two maps and a statistical appendix, while at the close of each chapter is a select bibliography.

Noteworthy articles in periodicals: *The Women of the Renaissance* (Edinburgh Review, April); W. A. Dunning, *The Monarchomachs*.

Theories of Popular Sovereignty in the Sixteenth Century (Political Science Quarterly, June); J. C. Bracq, *La Question de Terre-Neuve, d'après des Documents Anglais* (Revue Historique, May); Count M. de Germiny, *Guichen et les dernières Croisières Franco-Espagnoles de la Guerre d'Indépendance des États-Unis* (Revue des Questions Historiques, April); Victor Pierre, *Le Clergé Français en Espagne, 1791-1802* (Revue des Questions Historiques, April); G. Servières, *Le Rôle de Bourrienne à Hambourg, 1805-1810* (Revue Historique, March and May); G. Cavaignac, *L'Allemagne et Napoléon en 1813* (Revue des Deux Mondes, March 15); R. M. Johnston, *Lord William Bentinck and Murat* (English Historical Review, April); G. Bapst, *Napoléon III. à Magenta* (Revue Historique, March); É. Ollivier, *Premier Conflit avec la Prusse: Le Luxembourg, 1867* (Revue des Deux Mondes, May 15).

GREAT BRITAIN.

Renewed interest is attached to M. Émile Boutmy's book on the political psychology of the English people by its appearance in English, and especially by the considerable preface which Mr. J. E. C. Bodley contributes to it on this occasion: *The English People: a Study of their Political Psychology*, translated by E. English (London, Unwin).

A French translation of Stubbs's *Constitutional History of England* is in progress. M. Petit-Dutaillis, under whose direction the work is being done, will add an introduction, and new notes on disputed questions (Paris, Giard et Brière).

The Domesday Boroughs, by Adolphus Ballard, has just been published by the Oxford University Press.

The Selden Society's publication for 1904 is to be a first volume of *Select Borough Customals*, edited by Miss Bateson.

A new edition of More's *Utopia* has just come to hand which can justly claim scholarly consideration: *Sir Thomas More's Utopia*, edited with introduction and notes, by J. Churton Collins (Oxford, Clarendon Press, 1904, pp. lii, 283). The text is in the main that of the first edition of Robynson's translation, "Imprinted at London, by Abraham Vele . . . at the sygne of the Lambe . . . 1551." This is preceded by an introduction which sets forth matter on the life of More, the origin, inspiration, framework, models, plot, and purpose of the work, and its early editions and translations. Following the text are a hundred pages of notes, designed to meet the needs of both elementary and advanced students, and a serviceable glossarial index—this last contributed by Hilda M. R. Murray.

The text written by Dr. Airy for the handsomely illustrated monograph on *Charles II.* which the Goupil house published in 1901 has now been issued separately (Longmans).

With the object of throwing a side-light on the social history of the seventeenth and eighteenth centuries, Mrs. Arthur Colville has compiled

and arranged a volume on *Duchess Sarah, being the Social History of the Times of Sarah Jennings, Duchess of Marlborough* (Longmans).

Two recent books on contemporary affairs may be noted: *Eight Years of Tory Government, 1895-1903*, a compilation by Augustine Birrell (Liberal Publication Department, London), and Arthur P. Poley's *Guide to the Housing Acts*, which covers all the legislation from 1882 to 1903 (Eyre and Spottiswoode, London).

A new edition of Sir Robert Douglas's *Peerage of Scotland* is in progress, under the editorship of Sir James Balfour Paul. It will be issued this time under the title of *The Scots Peerage*, and in six volumes, the first of which is now ready (Edinburgh, David Douglas).

"The Moulding of the Scottish Nation", by Professor Hume Brown, forms the opening article of the *Scottish Historical Review* for April. The other longer contributions are: "A Literary Relic of Scottish Lollardy", in which Principal Lindsay treats of Murdoch Nisbet's *New Testament in Scots*, published lately by the Scottish Text Society; and "The Municipal Institutions of Scotland: a Historical Survey", concluded from the January number, by Sir James D. Marwick.

Noteworthy articles in periodicals: Ella S. Armitage, *The Early Norman Castles of England. I.* (English Historical Review, April); C. H. Firth, *Clarendon's History of the Rebellion. II. The 'Life' of Himself* (English Historical Review, April); A. L. Cross, *English History and the Study of English Law* (Michigan Law Review, II., 8).

FRANCE.

Students of the feudal period of France will take up with interest and confidence two new works by Ferdinand Lot: "*Études sur le Règne de Hugues Capet et la Fin du X^e Siècle*", which forms fascicle 147 of the *Bibliothèque de l'École des Hautes Études*; and *Fidèles ou Vassaux*, an essay upon the legal nature of the bond which united the great vassals of the royal power from the middle of the ninth to the end of the twelfth centuries (Paris, Bouillon).

The fourth fascicle of M. Molinier's part in the *Sources de l'Histoire de France* was recently placed on sale: "*Les Valois (1328-1481)*" (Paris, Picard). Note may also be made of the beginning of the sixth volume (by M. Mariéjol) of the Lavissee *Histoire de France*, the first part of which treats of "*La Réforme et la Ligue. — L'Édit de Nantes (1559-1598)*" (Hachette).

Several articles relating to the Revolutionary and Napoleonic periods have appeared in recent numbers of the *Revue d'Histoire Moderne et Contemporaine*. Two of them, already cited in the April issue of the REVIEW, embody a searching criticism of a book which was received with all but unanimous commendation, the fifth volume of Sorel's *L'Europe et la Révolution Française*: "*Étude Critique sur 'Bonaparte et le Directoire' par M. Albert Sorel*" (January and February numbers of the

Revue). The authors of this criticism, R. Guyot and P. Muret, set forth, with detailed justification, that M. Sorel left unconsulted a great number of documents which are essential to his subject; that in rigor of method and care of interpretation he falls short of present-day standards; that in consequence his work, though of value, lacks solidity, and has not the definitive character which has commonly been ascribed to it—in short, that there is still room, after this essay at synthesis, for numerous important studies on the foreign history of the Directory. A bare mention will suffice for two other articles: “Le Duc d’Orléans, à Paris et à Londres en Mai-Juin 1814”, a hitherto unpublished account in the form of a report by the Duke of Orleans to his father-in-law, Ferdinand IV. (March number); and, by Ph. Sagnac, “La Division du Sol pendant la Révolution et ses Conséquences” (April number). It may be added here that the seventh part of M. Sorel’s great work was published in the spring, its subject being “Le Blocus Continental—Le Grand Empire. 1806–1812” (Paris, Plon-Nourrit).

The tragic affair of the Duc d’Enghien is the subject of a two-volume collection of material now being published by the Société d’Histoire Contemporaine: *Correspondance du Duc d’Enghien (1801–1804) et Documents sur son Enlèvement et sa Mort*, gathered from various archives, by Count Boulay de la Meurthe. Most of this material has not been published before. Also, it is here accompanied by an important historical introduction (Paris, Picard).

James Pott and Company have published *Paris in '48, Letters from a Resident describing the Events of the Revolution*, by Baroness Bonde (New York, 1903, pp. xi, 272). The letters are entertaining. Constance E. Warr has prepared an introduction.

A society has been founded to further the study of the history of the Revolution of 1848: La Société d’Histoire de la Révolution de 1848. Among its officers are M. A. Carnot, president, and M. Henry Michel, general secretary. It will publish a *Bulletin*, under the editorship of M. G. Renard.

A general review of work relating to the history of the region of Lyons, from a particularly appropriate hand, appears in the February number of the *Revue de Synthèse Historique*: “Le Lyonnais”, by S. Charlëty.

Noteworthy articles in periodicals: R. Bloomfield, *The Art of the French Renaissance* (Quarterly Review, April); H. Hauser, *Études Critiques sur les Sources Narratives de l’Histoire de France au XVI^e Siècle*.—II. *Annales et Chroniques* (Revue d’Histoire Moderne et Contemporaine, April); H. See, *L’Administration de deux Seigneuries de Basse-Bretagne au XVIII^e Siècle* (Annales de Bretagne, April); Ch. Schmidt, *L’Industrie dans le Grand-Duché de Berg en 1810. Addition aux “Mémoires” de Beugnot. I.* (Revue d’Histoire Moderne et Contemporaine, May); P. Fëret, *Les Ordonnances de 1828* (Revue des Questions Historiques, April).

ITALY, SPAIN.

The Prussian and Italian historical institutes at Rome have entered together upon a systematic examination of material in the archives of Italy that relates to the period before 1300. At the head of the commission charged with this work are Professors Kehr and P. Villari.

Mention may be made here of two new periodicals announced from Italy, one an organ of the International Society for Franciscan Studies: *Bollettino della Società Internazionale di Studi Francescani in Assisi* (Assisi, Tipografia Metastasio); the other devoted to the literary history of the Latin countries in the middle ages: *Studi Medievali*, half-yearly (Turin, Loescher).

Giacomo Barzellotti, the distinguished Italian philosopher, has published important studies upon the past and present religious and literary life of Italy, entitled *Dal Rinascimento al Risorgimento* (Palermo, 1904, Remo Sandron).

Roma che ride. Settant'anni di Satira, 1801-1870 (Turin, 1904, Roux e Viarengo) is the title of a volume of pasquinades and other political satire, published by Emilio Del Cerro (pseudonym of Padre Nicolò Niceforo). The satire is badly selected and badly edited, but the volume is nevertheless of considerable interest.

Il primo Esilio di Nicolò Tommaseo, 1834-1839: Lettere di lui a Cesare Cantù, Edite ed Illustrate da Ettore Verga (Milan, 1904, L. F. Cogliati) is a volume of primary bibliographical and literary importance. It consists entirely of Tommaseo's letters to Cantù, 1833-1840, the greater number unpublished, of which the originals are preserved among Cantù's voluminous papers.

The third number of the reprint of the famous Italian revolutionary publication, *La Giovine Italia*, has been recently published as the first volume in the fourth series of the *Biblioteca Storica del Risorgimento Italiano* (Milan, 1904, Albrighi, Segati e C.). To have a number of this periodical in one's possession was a crime punishable with a long term of imprisonment if not with death in the days when the originals were current, 1832-1834, and they are now so rare that it has taken a bookseller of Milan twenty years to complete a set. There are six numbers in all; three remain yet to appear in the new edition, which is being edited by Mario Minghini, a scholarly librarian of the Biblioteca Vittorio Emanuele in Rome, in which library one of the very few copies of the original is to be found.

Students of Spanish history in the fifteenth century, especially on its literary side, will welcome an enumeration of all books printed in Spain to the year 1500: *Bibliografía Ibérica del Siglo XV.*, with critical notes by Konrad Haebler (The Hague, Nijhoff).

Professor Edward G. Bourne has translated and edited a chapter from Roscher's *Kolonien, Kolonialpolitik und Auswanderung* (Leipzig, 1885): *The Spanish Colonial System*, which appears as a pamphlet of 89 pages.

Short bibliographical notes have been added by the editor to the original annotation (New York, 1904, Henry Holt). It is published with the hope that it may be useful for collateral reading with college classes.

GERMANY, AUSTRIA.

G. Seeliger, the editor of the *Historische Vierteljahrschrift*, has an article in the April number of that periodical, which, though it treats particularly of "Juristische Konstruktion und Geschichtsforschung", may be considered as a contribution to the discussion of the old question about difference between the pure, or general, historian and the historian whose work and views are primarily determined by interest in some special body of knowledge like law or economics or political science. The aim of the article is to show in definite cases from what comes difference between "legal" and "pure" historians and under what conditions they are really in harmony, and especially how the influence of the "legal" author is reflected in ideas about Folk-law and King-law in the study of the Frankish period.

The Fuggers's indulgence-accounts with the papal court for the year 1517, which were discovered some time ago by A. Schulte, are to be published under the auspices of the Prussian Institute at Rome.

A society for the advancement of work upon the modern history of Austria has been founded at Vienna, the "Gesellschaft für neuere Geschichte Österreichs".

A number of letters written by Bismarck to his wife, during the Franco-Prussian War, were not, it seems, published in *Bismarck Briefe*. Discovered after the publication of the other correspondence, they were printed in a small supplementary volume. The Appletons have just issued these letters, eighty-nine in all: *Bismarck's Letters to his Wife from the Seat of War, 1870-1871*. The letters show occasional gleams of humor, as where he tells his *liebes Herz*: "It is tiresome to run after these Frenchmen, in spite of the charming landscape." The letters will be of interest and possibly useful to one desiring a full view of Bismarck's character.

Noteworthy articles in periodicals: A. Götze, *Die Entstehung der Zwölf Artikel der Bauern* (Neue Jahrbücher für das klassische Altertum, etc., March); O. Hintze, *Das politische Testament Friedrichs des Grossen von 1752* (Jahrbuch für Gesetzgebung, Verwaltung und Volkswirtschaft im deutschen Reich, XXVIII., 2); F. Rachfahl, *Österreich und Preussen im März 1848. Aktenmässige Darstellung des Dresden-Potsdamer Kongressprojektes*, concluded (*Historische Vierteljahrschrift*, April); W. Busch, *Der Kampf um den Frieden in dem preussischen Hauptquartier zu Nikolsburg im Juli 1866* (*Historische Zeitschrift*, XCII., 3); G. Jansen, *Grossherzog Carl Alexander von Sachsen-Weimar in seinen Briefen an Frau Fanny Lewald-Stahr, 1848-1889* (*Deutsche Rundschau*, May).

EASTERN EUROPE.

The first volume of a history of Russia under Nicholas I. has been published by G. Reimer at Berlin: *Geschichte Russlands unter Kaiser Nikolaus I.*, by Theodor Schiemann. This volume is of an introductory character, and treats, with the use of much new material, of Alexander I. and his work. There will be three volumes in all.

The University of Chicago Press announces for publication this year *The Philosophy of the History of a Small Nation*, by Thomas G. Masaryk, of the University of Prague. It treats of Bohemia, especially the work of the leaders in its religious and political history, and is the revision of a series of lectures given by the author at the University of Chicago.

AMERICA.

Mr. A. P. C. Griffin is at work on a supplement to the "Bibliography of the Historical Societies of the United States." The original list appeared in the *Report of the American Historical Association for 1890*, and was continued in the same publication for 1895. The supplementary list will include the publications of new societies as well as the new publications of the societies whose issues were previously listed, thus bringing the list to date.

Attention has already been called to the bibliography of American history prepared by Dr. Ernest C. Richardson and Anson E. Morse. Its full title is *Writings on American History, 1902, an Attempt at an Exhaustive Bibliography of Books and Articles on United States History Published during the year 1902 and some Memoranda on other Portions of America* (Princeton, N. J., The Library Book Store, 1904). The list is long, containing, according to a rough estimate, not far from 6,500 titles. The work is to be continued by the Bureau of Historical Research of the Carnegie Institution.

The *Bulletin of the New York Public Library* for March and April contains Parts III. and IV. of Miss Hasse's list of works relating to constitutions. These concluding parts relate to the United States and the several states and fill about 160 columns. In the April *Bulletin* is also printed, from the manuscript in the Ford collection, a sketch by George Sibald in 1802, giving his opinion as to the claims of the Georgia Company in the Yazoo purchase.

The *Report of the Librarian of Congress for the Fiscal Year ending June 30, 1903*, will have interest for historical investigators. It includes a list of accessions to the Division of Manuscripts and a statement of important additions to the Division of Maps. Special reference is made to the transfer from the State Department to the Library of the records and other papers of the Continental Congress and the papers of Washington, Madison, Jefferson, Hamilton, Monroe, and Franklin, "with such exception and reservations in each collection herein enumerated as in the discretion of the Secretary of State may be required for the continuity and completeness of the records and archives of the Department

of State". Mention is also made of the transfer of the Kohl collection of maps, comprising 474 maps relating to the progress of discovery in America. At some future time it is expected that the REVIEW will contain a fuller description of the papers retained in the State Department for the "continuity and completeness of the records and archives" of that department in accordance with the terms of the order of transference.

Among the more important documents recently added to the manuscripts division of the Library of Congress is the correspondence of John M. Clayton, some 1,180 letters of a miscellaneous but valuable character. The Polk papers include about 10,500 letters from about 700 different persons. The collection seems especially rich in early Tennessee material and in letters bearing on the period of Polk's administration.

A *Memoir of Benjamin Franklin Stevens*, by G. Manville Fenn, has been printed in London for private distribution (1903, 310 pp.). In addition to the memoir, which recounts the development of Mr. Stevens's work as a collector of rare American and other valuable manuscripts, there also appears an "Introduction to the Catalogue Index of American Manuscripts in European Archives", a description of the character of the index and the work involved in its preparation. The number of entries referring to the documents in the British, French, Spanish, and Dutch archives Mr. Stevens in his introduction estimates at one hundred and sixty-one thousand.

The New Century History of the United States, by Edward Eggleston, has been published by the American Book Company. The work, left unfinished on the death of Edward Eggleston, was completed by George Cary Eggleston (New York, 1904, pp. 406, 47).

A new series, "The American Jurists", is announced by Dodd, Mead, and Company. The editorial work is in the hands of Harry A. Cushing. The first volume to appear treats of the life and legal services of Judge Thomas M. Cooley, written by Henry Wade Rogers. The other volumes so far announced are *William Pinckney*, by John Bassett Moore, *James Kent*, by James Breck Perkins, and *Joseph Story*, by Francis M. Burdick.

A set of valuable *Addresses, Lectures and Other Papers*, by James Clarke Welling, has recently been privately printed (1903). That they should not have been published is regrettable, for they are full of material for the student of history and should be accessible to him. They are written in good English, at times possibly over-rhetorical, since some of them were written to please audiences and not as historical contributions; but in them is much sound history and clear statement of fact. The most worthy of note are "The Mecklenburg Declaration of Independence", "The Emancipation Proclamation", "Connecticut Federalism", "The Land Politics of the United States", and "The States'-Rights Conflict over the Public Lands".

The leading article in the *German-American Annals* for March is "Johann Jakob Astor und die Astor Bibliothek" by Albert J. W. Kern. In the April number appears "Die Pseudo-Unabhängigkeits-Erklärung von Mecklenburg County, Nord Carolina". In the May number the leading article is the first part of "The Harmony Society; a Chapter in German American Culture History".

Dr. James Sullivan, of the New York High School of Commerce, has prepared a series of *Facsimiles of the Riant Manuscripts in the Harvard College Library for the Use of Students in Paleography*.

Under the direction of Professor Edward L. Stevenson a series of photographic reproductions of twelve *Maps Illustrating Early Discovery and Exploration in America, 1502-1530*, has been prepared. Among the maps included are the Cantino map of 1502-1504, the Turin-Spanish map of 1523-1525, the Maggiolo map of 1527, and the Verrazano map of 1529. They are reproduced in the exact size of the originals, for the first time, with one or two exceptions, and each map is accompanied by a brief description. It is planned to add other important early maps to the collection.

The Burrows Brothers Company is issuing a series called "Narratives of Captivities". The edition is limited. There has now appeared *The Dangers and Sufferings of Robert Eastburn, and his Deliverance from Indian Captivity*, reprinted from the original edition of 1758, with an introduction and notes by John R. Spears.

The National Society of the Colonial Dames of America has made a sufficient appropriation for the preparation and printing of two volumes of the despatches and letters addressed by William Pitt when Secretary of State to colonial governors and military commanders in America, and of their replies.

An edition of the writings of Benjamin Franklin, to be published in ten volumes, in January, 1906, the two-hundredth anniversary of Franklin's birth, is planned by the Macmillan Company. The editorial work is in the hands of Mr. Albert Smythe.

The second volume of *The Poems of Philip Freneau, Poet of the American Revolution*, has been issued with the imprint of the Princeton University Library (Princeton, 1903, pp. x, 407). The material is in some ways more deserving a notice in a historical periodical than in a literary journal; nearly the whole volume is taken up with poems of an occasional character, embodying in rhyme or in studied periods the thought and passion of the time. For the student of the Revolution, therefore, the book is of importance, and American scholars should be grateful to Mr. Pattee for the care with which these pieces have been brought together.

We note two recent French publications of interest to American students: *La Fayette dans la Révolution*, by Henri Doniol (Paris, 1904), and *Les Chartes Coloniales et les Constitutions des États-Unis de l'Amérique du Nord*, by A. Gourd (Paris, 1903).

The latest edition to the "American Men of Energy" is *James Lawrence, Captain, United States Navy, Commander of the "Chesapeake"*, by Albert Gleaves, with an introduction, twelve lines in length, by George Dewey (New York, Putnams, 1904).

Houghton, Mifflin, and Company have just issued a reprint of *A Collection of the Facts and Documents, relative to the Death of Major-General Alexander Hamilton*. The volume was first printed one hundred years ago, the materials contained in it being collected by Coleman, the first editor of the New York *Evening Post*.

Among the contents of the April number of *The American Historical Magazine* we note an appreciative sketch of William R. Garrett, the founder of the magazine. The sketch is written by A. V. Goodpasture, the present editor, and is accompanied by a bibliography of Mr. Garrett's writings. A short article also appears in the number on "Jackson's Attitude in the Seminole War", by David V. Thomas.

Justin H. Smith, Professor of Modern History at Dartmouth, is now in Mexico collecting data on the war between Mexico and the United States. His present visit is expected to occupy the greater part of a year.

The fifth number of *State Documents on Federal Relations*, edited by Herman V. Ames and published by the Department of History of the University of Pennsylvania, has just been issued. It contains twenty-eight documents bearing on "Slavery and the Constitution", the first, resolutions passed by the House of Representatives in 1790, the last, resolutions of the Virginia legislature in 1844. The next volume will cover the period from 1845 to 1861.

Volume XVII. of the first series of the *Official Records of the Union and Confederate Navies* has just been published. It contains the operations of the East Gulf blockading squadron from February 22, 1862, to July 17, 1865, and of the Gulf blockading squadron from December 16, 1861, to February 21, 1862.

A new two-volume life of Lincoln is published by the Robert Clarke Company, *Abraham Lincoln and His Presidency*, by Joseph H. Barrett. In 1860 the author of these volumes prepared a campaign biography of the Republican candidate for the presidency, adding to it in 1864 and 1865. The present volumes are written as the result of Mr. Barrett's early determination to write a "deliberate and complete biography".

Captain Robert E. Lee is compiling for Doubleday, Page, and Company a volume of *Recollections and Letters of General Lee*. The letters are chiefly to members of the great leader's family and are said to throw much light on his character and personality, as well as on his attitude toward the result of the Civil War.

Mr. Walter F. McCaleb is engaged in editing the memoirs of John H. Reagan, which are now nearly ready for the press. They will naturally be of interest to students of the Confederacy.

A valuable study in the history of Reconstruction is Paul S. Peirce's

The Freedmen's Bureau, which appears as Number 1 of Volume III. in the State University of Iowa Studies in Sociology, Economics, Politics, and History (Iowa City, published by the University, 1904, pp. vii, 200).

The third number of "West Virginia Documents relating to Reconstruction", entitled *Union League Documents*, edited by Walter L. Fleming (Morgantown, West Virginia, 1904), contains the Constitution of the National Council of the Union League of America, the Ritual of the Union League, a Loyal League Catechism, and other valuable and interesting papers.

A valuable study in the economic and political history of the United States is *A History of Two Reciprocity Treaties, the Treaty with Canada in 1854, the Treaty with the Hawaiian Islands in 1876*, with a chapter on the treaty-making power of the House of Representatives, by Chalfant Robinson. The author concludes in his treatment of the constitutional question that the House thus determined that treaties dealing with the revenues are altogether under control of the House of Representatives, and that there is no obligation recognized in like treaties to follow the action of the Senate by favorable legislation.

Addresses and Presidential Messages of Theodore Roosevelt 1902-1904, with an introduction by Henry Cabot Lodge, has been published by the Putnams. It forms a unique and interesting campaign document based on the principle stated by Mr. Lodge, inverting the statement of Dr. Johnson, that "no man was ever written up except by himself". In addition to sundry speeches and addresses appear some letters, notably those on Southern appointments, that are likely to be of some historical importance.

We have received, as the first of the Robert Charles Billings Fund Publications and bearing the imprint of the Boston Athenæum, *Autobiography and Voyages of François Le Forestier (1749-1781), a Refugee from Mauritius and a Teacher in New England* (1904, pp. xi, 77). It is a careful reprint of a French manuscript written on a voyage from Salem to Mauritius and addressed to one of Forestier's pupils in Portland.

The first volume of the *Laws of New Hampshire* has been published by the state. The task of editing seems to have fallen into very competent hands and there is good reason to expect a thoroughly satisfactory series. The first volume covers the history of the colony till 1702. A long introduction by the editor, Mr. A. S. Batchellor, outlines the legal history of the province and contains much valuable information. It is to be regretted that it was found necessary to print two pages of "additions and corrections", the result partly of imperfect proof-reading.

The report of Robert T. Swan, Commissioner of Public Records in Massachusetts, is an encouraging document, not because the writer speaks with optimism and declares that all is well, but because he knows his business, speaks with frankness and clearness, and points out what should be done as well as what is doing for the preservation of the valuable

town records of the commonwealth (Boston, Wright and Potter, State printers).

Massachusetts, by Professor Edward Channing, and *Rhode Island*, by Irving B. Richman, are announced in the "American Commonwealths" series.

The second volume of the *Records of the Court of Assistants of the Colony of the Massachusetts Bay*, edited by John Noble, is soon to appear. The extent of the material is such that a third volume will be required.

Perhaps the most valuable of the papers in the March number of the *Records of the American Catholic Historical Society of Philadelphia* are "Boston's First Catholic Church", which is made up of some letters from Dr. Francis Matignon, and "An Interesting Correspondence", letters from Cardinal Cheverus, first Bishop of Boston.

The Rhode Island Historical Society has discontinued the publication of the *Quarterly*. The *Proceedings*, which were issued from 1872 to 1892, will be hereafter published annually. The *Collections*, which were begun in 1827, will also be continued. The tenth volume of the latter series has just appeared. It contains the Harris Papers with an introduction by Irving B. Richman and a useful list of seventeenth-century place-names in Providence Plantations prepared by Clarence S. Brigham. This list, which is accompanied by a map, is supposed to include every place-name mentioned in the Providence records before 1700 and included within the original town.

Mr. Henry Melville King has published in a small volume *Religious Liberty, an Historical Paper* (Providence, Preston and Rounds). Its purpose and scope may be indicated by the following excerpt from the preface: "It is coming to be conceded more and more that the Anabaptists of Europe, so long misunderstood and maligned, were the true pioneers of religious liberty; that to them belongs the honor of its promulgation, as to Roger Williams and his associates and successors belongs the honor of its realization in civil government."

Aside from continuations the *Pennsylvania Magazine of History and Biography* for April contains "Mrs. Mary Dewees's Journal from Philadelphia to Kentucky, 1787-1788", contributed by Samuel P. Cochran, and two letters of Charles Carroll, of Carrollton, from the Dreer collection. The first letter is to Richard Peters, Secretary of the Board of War, dated October 22, 1777, and asks that a couple of weavers, if any are to be found among the British prisoners, be sent to him to make up the winter clothes for his slaves; the second, dated August 22, 1806, is to Horatio Ridout and briefly expresses disapprobation of the foreign policy of the administration.

Yet another series of reprints of rare Americana is projected, this time by the A. Wessels Company. The first volume is to contain that mine of information, the Rev. Andrew Burnaby's *Travels through the Middle Settlements*, edited by Rufus Rockwell Wilson.

The most recent addition to the "Johns Hopkins Studies" is *White Servitude in Maryland*, by Eugene Irving McCormac, a substantial monograph covering the history of the institution. It may be noted that the author states there was no appreciable falling off in the number of German and Swiss redemptioners entering the states until after 1817. The study is a valuable addition to the monographs on the general subject.

A creditable publication, largely made up of contributions by college students, is the annual volume entitled *The John P. Branch Historical Papers of Randolph-Macon College*, edited by Professor William E. Dodd. The fourth number (June, 1904) contains "The Public Life of George C. Dromgoole", by Edward James Woodhouse; "Benjamin Watkins Leigh", by Edwin James Smith; "Robert R. Livingston — Beginnings of American Diplomacy", by Robert Kemp Morton; and "Spencer Roane", which is made up of reprints from the *Richmond Enquirer*. These reprints bring before us the clearly stated opinions of an advocate of states' rights and are of considerable historical interest.

In the *South Atlantic Quarterly* for April, Professor William E. Dodd points out "Some Difficulties of the History Teacher in the South", or rather in Virginia and the Carolinas. The same number contains an article on "Father Louis Hennepin, Explorer", by John Raper Ormond.

John Brereton's *Briefe and True Relation of the Discouerie of the North Part of Virginia, 1602*, is edited by Luther S. Livingston and reprinted in facsimile as No. 2 of Dodd, Mead, and Company's Historical Series.

We have received *A Virginia Girl in the Civil War* (D. Appleton and Company, 1903). This is the story of the wife of a Virginia officer who kept as close to her husband as possible during the war, and who was consequently in a position to see much of the war at first hand. Of particular interest are the accounts of her experiences in running the blockade between Virginia and Maryland, of the precarious existence of Southern sympathizers in Baltimore, and of life in Richmond during the last days. Although the story is narrated in the first person, it was first told orally and then taken down and edited by Myrta Lockett Avery.

Among other papers in the *South Carolina Historical and Genealogical Magazine* for April is the continuation of "Letters from Hon. Henry Laurens to his son John, 1773-1776", one of them containing an interesting discussion of the project of "stopping the Ship and Lawford's Channels by means of sinking schooners".

Of considerable historical interest is the centennial edition of the *Charleston News and Courier*, one of the very best anniversary editions ever published in America. Large portions are prepared with real scholarly care, and much information is given on the political, educational, and industrial history of the state. Its chief value lies in the full treatment of the history of journalism in South Carolina.

In the mass of new books bearing on the acquisition of Louisiana, we notice *Documents relating to the Purchase and Exploration of Louisiana*, published in a limited edition by Houghton, Mifflin, and Company.

Mr. Dunbar Rowland's second annual report as director of the Department of Archives and History of the State of Mississippi is of especial significance as revealing the awakening interest throughout the southern states in the preservation and systematic care of their archives. The report contains a list of the Confederate records in the possession of the state and a detailed description of the records of the territorial government. These last contain much valuable material relative to Indian affairs, to Burr's conspiracy, and to troubles with Spain.

We have already had occasion to notice the series of western travels published by A. S. Barnes and Company. Several volumes have appeared: Harmon's *Journal of Voyages and Travels in the Interior of North America*, with an introduction by Robert Waite, who gives no bibliographic information, not even venturing to state where and under what circumstances the original edition was published; *The Journey of Coronado*, with a good introduction and real notes by George Parker Winship, a volume likely to be of much interest as constituting the most accurate edition of the accounts of this famous expedition; Mackenzie's *Voyages from Montreal through the Continent of North America*, in two volumes, with an inexplicit introduction by Robert Waite; and lastly, a reprint of the Biddle edition of the *History of the Expedition under the Command of Captains Lewis and Clark*, in three volumes with a short account of the Louisiana Purchase by John B. McMaster. The publishers have sought to make a handy, popular edition, which could be sold cheaply and might be read widely. The books, though not elegant, are well printed and attractive.

Of the series of *Early Western Travels, 1748-1846*, which is being issued by the Arthur H. Clark Company of Cleveland, the first three volumes have appeared. The first contains the journals of Conrad Weiser, George Croghan, Christian Frederick Post, and Thomas Morris. Weiser's was the first official journey to the west of the mountains undertaken at the instance of the English colonies. Croghan's journal is of great importance, for the writer was one of the most conspicuous figures of the period of the French and Indian War. Post's journals are reprinted from Proud's *Pennsylvania* (Philadelphia, 1798); that of Morris from his rare *Miscellanies in Prose and Verse*, in which it was printed in London in 1791. Morris accompanied Bradstreet to Detroit in 1764 and afterward had most interesting experiences as a captive among the Indians. The second volume of the series is devoted to John Long's *Voyages and Travels of an Indian Interpreter and Trader*, while the third contains a translation of André Michaux's journal of travel into Kentucky, 1793-1796, a reprint of François André Michaux's *Travels to the West of the Alleghany Mountains, 1802*, and Thaddeus Mason Harris's *Journal of a Tour into the Territory Northwest of the Alleghany*

Mountains . . . 1803. André Michaux was one of Genet's agents, but his journal is scientific rather than political. The books are handsomely bound and printed. The editing by Mr. Thwaites seems to have been done with his customary care and knowledge. There is no want of helpful annotations. The books therefore will be likely to be of more real value than the early prints from which they are taken.

The thirteenth annual meeting of the Michigan Pioneer and Historical Society is to be held in Lansing on June 1 and 2. It is expected that Volume XXXIII. of the society's publications, containing the Cadillac papers, will appear before the date of the meeting. The Cadillac papers contain much material relating to the early settlement of Detroit, and have been contributed by Mr. C. M. Burton, president of the society.

The Wisconsin State Historical Society is engaged in reprinting the ten volumes in the first series of its publications, covering the years 1855 to 1888. The reprint is to be of 2,000 copies, and the original pagination will be followed. The first volume has appeared and will receive further notice in another number of the REVIEW.

The Iowa legislature has appropriated \$300,000 for the completion of the building for the Historical Department of Iowa.

The December, 1903, number of *The Quarterly of the Oregon Historical Society* contains the first part of a valuable paper by William Alfred Morris, "The Origin and Authorship of the Bancroft Pacific States Publications: a History of a History". The purpose is to show the portions contributed by various writers and the equipment of each for his task. The nature of the interesting facts in the article may be seen from the following sentences: "Had Mr. Bancroft made public the fact that three persons besides himself wrote the History of California, that he was in reality the author of but sixty pages in the entire seven volumes of that set, that he had not the least claim to the authorship of the History of Oregon, and that the histories of the two states were in the main written by different persons, the fallacy of this argument would have been clear. . . ." "When speaking in the Literary Industries of work done for him by others, Mr. Bancroft shows a habit which is derived from his long experience as a manager of a business concern."

The *Review of Historical Publications Relating to Canada* for 1903, edited by Professor Wrong and Librarian Langton of the University of Toronto, is the eighth annual number of that publication. Over 200 publications and articles are noted, some of them receiving exhaustive reviews. The classification is six-fold, with the main headings I. Canada's Relation to the Empire; II. History of Canada; III. Provincial and Local History; IV. Geography, Statistics, and Economics; V. Archaeology, Ethnology, and Folk-Lore; VI. Law, Education, Bibliography.

William Wood, major of the Eighth Royal Rifles, Canadian militia, has written *The Fight for Canada, a Naval and Military Sketch from the History of the Great Imperial War*. It is published in a handsome vol-

ume by Archibald Constable and Company (London, 1904, pp. xxi, 363). The same firm announces *The Naval Conquest of Canada*, being a composite diary formed from all the logs of his majesty's ships in Canadian waters in 1759 and also from other original and mostly unpublished documents, edited by A. G. Doughty.

Noteworthy articles in periodicals: Herbert Putnam, *Manuscript Sources for American History* (North American Review, April); C. H. Lincoln, *Some Manuscripts of Early Presidents* (Literary Collector, May); R. G. Thwaites, *Newly Discovered Personal Records of Lewis and Clark* (Scribner's Magazine, June); Agnes C. Laut, *Fights of the Fur Companies* (Century, April); W. G. Brown, *The Spaniards in the South* (The World To-Day, April); S. Weir Mitchell, *The Youth of Washington* (Century, April, May, June); Helen H. Dodge, *The Repeal of the Stamp Act* (Political Science Quarterly, June); J. K. Laughton, *The American Revolution* (National Review, March); Sir George Trevelyan, *on the American Revolution* (Edinburgh Review, April); F. J. Turner, *The Diplomatic Contest for the Mississippi Valley* (Atlantic, May, June); Jesse W. Weik, *Lincoln as a Lawyer* (Century, June); M. C. S. Noble, *The Battle of Moore's Creek Bridge* (North Carolina Booklet, March); Frank T. Carlton, *The South During the Last Decade* (Sewanee Review, April); W. C. Dennis, *The Panama Situation in the Light of International Law* (American Law Register, May); Octave Uzanne, *The Inter-oceanic Canal. Nicaragua or Panama?* History of plans for a canal (Fortnightly Review, April).



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Columbia University in the City of New York

Columbia University includes both a college and a university in the strict sense of the words. The college is Columbia College, founded in 1754 as King's College. The university consists of the Faculties of Law, Medicine, Philosophy, Political Science, Pure Science and Applied Science.

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